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THURSDAY, APRIL 22, 1869.

MUMLER.

The mysterious MUMLER meets his adversaries, in court and in his own professional cloister, without any mystifying mumery whatever. He simply says to the most sapient as well as to the most silly and superstitious people: "I photograph what appears before the camera. Spirits evidently appear; else why are their likenesses taken on the same plate with the pictures of these living sitters, and without any variation of the usual process of producing a photograph?" Eminent experts in photography, and persons not engaged in that art who are supposed to have considerable common sense, are suffered to explore MUMLER's gallery and laboratory, watch his way of producing his pictures from the beginning to the end, and are summoned to the stand to witness that MUMLER is a humbug and a snare. That they are unable to swear to anything of the kind is due, curiously enough, not to the inability of ordinary photographers to produce precisely the same ghostly effects that MUMLER does, but to their inability to detect MUMLER's process. Pictures are exhibited which almost exceed the "spiritual photographer's" best achievements in transmitting a spectral presentment to paper. The artists who take such pictures are able to explain how they are taken upon strictly scientific principles. MUMLER smiles, and calls them "imitations." And his rivals, who may suspect but cannot testify after watching him that his methods are identical with their own, cannot, of course, assert on their oaths that his likenesses are not what he and his followers allege them to be—the likenesses of veritable "phantoms from another world."

Thus does MUMLER—if we may judge from the testimony so far adduced for and against his pretensions—seem likely to obtain a legal triumph. His spiritual sympathizers are numerous and unafraid. The trial is interesting. No less a Spiritualist than Judge EDMONDS relates, in his character of witness for the defence, certain spook-like narratives for the entertainment of the court and auditors. Of how he once saw a defunct associate judge sitting on a window-sill, and of the sage advice which he got from that ghost, Judge EDMONDS tells. In regard to a life insurance policy case in which this noted believer in posthumous appearances was concerned as judge or counsel, he describes an interesting interview. The deceased man who had procured the policy paid the prescient EDMONDS a phantasmal visit, and told him he (the deceased man) had drowned himself, and that the people, his family, who were applying ought not to get the money. Which statement, by the vocal shade of a speechless and feculent corpse, decided the legal or judicial duty of Mr. EDMONDS in the matter.

Now here is suggested, for the very first time in the history or story of Spiritualism, a useful employment for that vast horde of spectres who, according to the average statements and practices of Spiritualists on earth, have nothing in particular to do except to tip tables and indulge in various childish games of that sort with the living children of men. If the apparition of a drowned suicide was so inoculated with the sublunary principle of justice as to "appear" to the eyes of an earthly judge and protest against the depletion of a life insurance company's coffers for the benefit of his family, why should not the goblins of other dead men be made to tell what they know? Is it impossible for the spiritualists and spiritual photographers of the period to unite with their merely mysterious doings the doing of some real good to mankind? Cannot the shades of wronged, swindled, and murdered people be summoned or enticed by "mediums" to reveal not only the names of their persecutors (which, perhaps, might not be accepted by a skeptical world on such intangible testimony), but clues which may provide officers of the law with starting-points for successful raids upon the guilty below? The WALTON-MATTHEWS murder, the BURDELL tragedy, the recent killing of ROGERS in front of his own door-step the morning—all these

are crimes the perpetrators of which are unknown. Why have not WALTON and MATTHEWS, and Doctor BURDELL, and ROGERS been heard from beyond the tomb? Why are mediums like Judge EDMONDS prevented from obtaining interviews with these, the most unauthenticated and important ghosts of that other world with which spiritual mediums profess to have habitual intercourse? And, unless MUMLER at the close of the present trial is judicially defined as a detestable delusion instead of the marvellous man he would have us believe him to be, why should not some of the "suspected murderers" of the defunct citizens we have mentioned be taken before MUMLER's camera in order that the spirits which haunt them may appear? The vision which a murderer is likely to have most in mind is the vision of the person he has perforated. At least, this supposition accords with the theory advanced by certain witnesses at MUMLER's singular trial.

Let ghosts of pith and moment be galvanized and made to relate something worth knowing. Let the world be informed by even so trivial a shade as that of BILLY PATTERSON who struck him, or let the complaint of THE WORLD against MUMLER as an impostor be known, law or no law, as a just complaint; and let MUMLER be forever mum,



It Shines for All.

THURSDAY, APRIL 22, 1869.

The trial of W. H. MUMLER—the spirit photographer, as he claims to be, but, as the District Attorney maintains, a trickster and a deceiver of the public—was continued yesterday before Justice DOWLING, at the Tombs. A large audience was in attendance, mostly composed of believers in the reality of the spiritual manifestations which have attracted so much attention during the past few years. From our report of the case, given elsewhere, it will be seen that the defendant occupied the whole of yesterday's session of the Court in introducing the evidence of a number of witnesses who had watched his operations without being able to detect him in employing any trick. Whatever may be the legal effect of this testimony, it is certainly very unsatisfactory to the inquirer. It is quite plain from an inspection of the photographs in question that the so-called spirit likenesses on them are not produced by objects placed in the same light as the living sitters; and if Mr. MUMLER wants people to believe his story, he must produce pictures taken under such circumstances, and guarded by such tests, as render deception on his part impossible. Let him, for instance, go into the gallery of a disinterested photographer, and merely lend the aid of his presence without touching his own hand to the process. If these spirit forms then came on the sensitive plate, it would prove something; but so long as he insists on manipulating the apparatus himself, failure on the part of the spectators to discover his trick only proves his superior adroitness in performing it. For it is admitted that all that he does can be done by trickery of various kinds, and now the only question is as to the particular method which he employs. On the other hand, the prosecution must be able to point out precisely what his method is, or they leave great room for doubt in the minds of the credulous; so that it is pretty certain that Justice DOWLING's decision, whichever party he may sustain, will not settle the dispute.

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THURSDAY, APRIL 22, 1869.

SPIRIT PHOTOGRAPHING.

The case of the spirit photographer, Mr. Mumler, came up before Judge Dowling yesterday. It appears from the testimony adduced, that the spirits whose images are reflected on the camera of the photographer are stated to be present in front of the lens. It would not be out of place to inquire why in that case they are not seen by those present—why, if they can reflect rays of light on the prepared plate so as to occasion the separation of Bromine and Iodine from the silver with which they are combined, and produce a copy in negative of a well-defined object that can be recognized, they cannot reflect light on the sensitive retina of an individual looking in the direction in which they are supposed to be placed, and produce the same image on the expanded optic nerve? This is a very fair inquiry. We can imagine an answer. It is this:

That an object which is invisible to the unaided eye, may be chemically perceptible, so

to speak, to the iodised collodion of the glass plate in the camera, and that rays of light may be reflected by it through the artificial lens, which the natural lenses and humors of the eye might be incapable of transmitting to the retina. There are myriads of stars which cannot be perceived by the naked eye, and yet are readily seen with the aid of the telescope; and there are, doubtless, other stars not visible without assistance, which may transmit their rays through the lens of a large camera, and leave on the prepared glass an image of the star from which they issue. We simply suggest this explanation. If what Mr. Mumler claims is correct, it is a source of gratification to know that the departed ones (whom we love can visit us, even though we may be made conscious of their presence only through the aid of the chemist and the photographer. Time will, however, determine the correctness or falsity of the matter under discussion.

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THURSDAY, APRIL 22, 1869.

GHOSTS IN THE TOMBS

Spiritualism on Trial in a Public Court.

CAN SPOOKS BE PHOTOGRAPHED?

A Whole Day Spent to Answer the Question.

WONDERFUL WORDS OF WITNESSES.

Ex-Judge Edmonds Swears to Having Seen the Spirit of a Dead Man in Court.

STARTLING STATEMENTS MADE BY SPIRITUALISTS,

&c., &c., &c.

Yesterday there was reached another step in the interesting case of the People against Mumler, the alleged "Spiritual" photographer, charged with obtaining money by "trick and device." At a much earlier hour than that fixed for the hearing of the case the Tombs Police Court was crowded. Persons of all classes, professions, and shades of opinion were present. Journalists, lawyers mighty in criminal proceedings, authors, physicians, artists, sculptors, sent representatives, all deeply interested in the solution of a question which they believe can only be answered by one of two alternatives—"A fraud" or "A miracle." And patiently during four or five hours the audience, one of the most intelligent that ever assembled in a New York police court, sat watching each point made by the pleaders and testified to by the witnesses.

It is almost needless to repeat the facts which lead to this trial. A WORLD Commissioner investigated the alleged miracle worked by Mr. W. H. Mumler, and, finding that a rational and consistent explanation based on natural causes could be given, he was directed to place the information before Mayor Hall. The Mayor's steps in co-operation with THE WORLD have been already detailed. He directed Marshal Tooker to work up the case, and when it was ripe for prosecution he sent it to the courts. The counsel for the People were selected by him, and it was understood up to the last moment that it was his wish to conduct the prosecution in person, but urgent public business called him elsewhere, so that, although aided by his suggestions and counsel, the prosecution had not the benefit of his presence. Representing him, however, were Eldridge T. Gerry and the Assistant District-Attorney Blunt. On the part of the accused there appeared Messrs. Day, Baker, and Townsend. The following is a detailed report of the proceedings:

The Court—Are they ready in the case of The People against Mumler?

Mr. Gerry—We are ready for The People.

Mr. Baker—We are ready for the defence, and we should like to know if the prosecution is through with its case?

The Court—The defence may examine the witnesses who have already been sworn upon their affidavits.

Mr. Baker—We should prefer to have the prosecution exhaust its witnesses.

The Court—I do not think that that would be the proper way.

Mr. Baker then called for Marshal Tooker, who, being sworn, was examined by Mr. Day as follows:

EVIDENCE OF MARSHAL TOOKER.

Q. What is your name? A. Joseph H. Tooker.

Q. Have you any other name? A. No.

Q. Is your name Bowditch? A. No.

Q. Do you go by any other name? A. Not often.

Q. What is your real name? A. Joseph H. Tooker.

Q. Do you go by the name of Bowditch? A. Sometimes.

Q. Is that your real name? A. No.

Q. Now, what made you visit Mr. Mumler's gallery? A.

I was directed to do so by the Mayor of New York.

Q. For what purpose? A. It was on account of a complaint laid before the Mayor with regard to certain swindling operations on Broadway.

Q. Was it your own idea to go there? A. Mr. P. V. Hickey, for the New York WORLD, made a complaint to the Mayor, and his Honor told me to work the case up; and find whether there was any truth in the statement; so I went there.

Q. What did you expect to get there? I expected according to the representations.

Q. Now I ask you yourself? A. I thought to get my photograph taken.

Q. Did you get it taken? Yes.

Q. Did you notice any deception practised on the part of the photographer? A. I thought—

Q. Now, not at all. I ask you, did you see any trick?

A. I am not an expert.

Q. Did you see any trick or device; answer yes or no?

A. Yes.

Q. State the trick or deception that you noticed? A.

Well, when I went into the room there were certain representations made to me—

Q. I do not ask you what representations were made,

I—

Mr. Gerry—Now, one moment. (To the court.) If he asks him to state the trick or deception, it is not only proper but right to state what occurred, and not merely to point out any specific act, where the whole performance was a trick and deception, as we insist.

The Court—I think he should answer, from the very fact that he says the trick or deception was practised upon him.

A. They promised to give me a portrait or picture of a deceased relative, or of one nearest in sympathy with me; they did not do it. I was therefore deceived.

Q. State the language that was used in conveying to you the promise. A. The gentleman represented to be Mr. Silver—

Q. That has nothing to do with the case. I object to bringing up any other question. State what was represented to you.

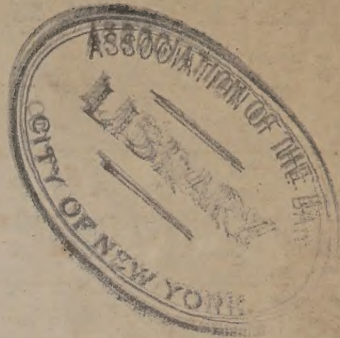
The Court—Raise your voice.

Mr. Day—The case here being tried relates to a deception. I do not wish to bring up any other person here.

The Court—What is the question?

Mr. Day—I asked him to state the deception or trick upon the part of the accused.

Witness—That is it; he agreed to give me a picture of a relative, or of the nearest in sympathy with me at the time I was in the room. He failed to do it.



Marshall Tooker—

Fake name sometimes other names he assumed

Got what he went for

this is the trick— they promised & they did not do it

this is the trick

Mumler did not promise

W. P. Slee

A gentleman of experience in photography - let
him know the reason known to his art & could become
as bright as -

Mr. Mumler produced the same pictures in
Poughkeepsie upon an other instrument - Used
the mother materials of Slee - had none of his own

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W. P.

Mr. Day (looking at the witness stand) - You state that you asked the accused if he would give you the picture of a deceased relative, and he answered in the negative? -
Witness - Look at it again. I think it states that Mr. Slee promised.
Mr. Day - All that is immaterial; that is all.
Mr. Gerry - We have questions to ask him.
Mr. Day - I do not wish to cross-examine the other witnesses.
Mr. Gerry - The people here rest the case.
Mr. Day then called for Mr. Gurney, who not answering, Mr. W. P. Slee was put upon the stand.
EVIDENCE OF W. P. SLEE.
Mr. Day - What is your profession? A. I am a photographer.
Q. How long have you been so engaged? A. Eleven or twelve years.
Q. Where are you carrying on business? A. In Poughkeepsie.
Q. Have you any experience in spiritual photography? A. By the invitation of Mr. Mumler I went into his room to investigate matters and saw him develop three different faces; I watched him as closely as possible, but I could detect no deception.
Q. Did you notice anything unusual in the mode of proceeding? A. Nothing more than what I would do in taking pictures.
Q. Was his hand upon the camera? A. He placed his hand upon the camera.
Q. That was the only difference? A. Yes.
Q. Is that all? A. Mr. Mumler afterwards visited my gallery.
Q. At your request? A. Well, when in Mumler's gallery.
Mr. Gerry - We don't want to know what took place there, but what took place in Poughkeepsie.
The Court - You can tell what was done in Poughkeepsie; the investigation here is with reference to what took place in Mumler's; any other gallery.
Mr. Day - We want to show that he took pictures too in his office.
The Court - His office is not the subject of inquiry, but I have no objection to allow the question if the real truth can be got at.
Mr. Gerry - My only reason was to circumscribe the evidence within some legitimate bounds. If the purpose is to show that they in Poughkeepsie have been defrauded too, of course it is for the attorney there to take the matter up.
The Court - Well, if the examination goes beyond that I will check him.
Mr. Day (to the witness) - Well, go on. A. Well, Mr. Mumler came there and used my apparatus from beginning to end, and produced the same effects. He was thoroughly watched, and the only difference was his placing his hand upon the camera, the same as he did here and the same effects were produced.
Mr. Day - That is all.
Mr. Gerry, for the prosecution - Are you a believer in the existence of spirits?
Mr. Day and Mr. Baker together - I object to that.
Mr. Gerry - It is a question of credibility.
Mr. Baker - You might as well ask him if he was a Jew.
Mr. Gerry - He may decline to reply if the answer tends to criminate or degrade him.
The Court - I think I will allow it. A. I do not believe in anything that I have not evidence of.
Mr. Day - I would like to have the question put down.
Mr. Gerry then put the question again.
Mr. Day - I do object; he ought to say what spirits.
The Court - Answer the question.
Witness to Mr. Gerry - In ardent spirits? (Laughter.)
The Court (rather severely) - You understand the question.
Witness - I believe nothing that I have not the evidence of. What I am convinced of as true, that I believe.
The Court - The question is not about ardent spirits.
Witness - Your Honor, the question covers so large a ground that it is difficult to answer it, but I do not believe in all manifestations.
Mr. Gerry - Are you what is popularly known as a spiritualist? A. Define the question.
Mr. Gerry repeated the question.
Witness - I am in a certain sense.
Q. How high is the grade? A. Well, I believe in photography; I believe that the pictures can be produced beyond the control of human nature.
Q. How long have you been a believer in the so-called spiritual powers? A. Several years.
Q. And prior to the time when you called upon Mumler you never attempted to take them? A. No.
Q. When you went to see him take the pictures did you go with him into the dark room where he first prepared the glass, collodion, &c.? A. I did.
Q. Did you examine the plate? A. I saw him clean the plate.
Q. Did you examine the plate out in the light? A. I saw him.
Q. Then you did not take the thing into your own hand. Did you examine the nitrate of silver bath? A. I did not.
Q. How long did it remain in the bath? A. Well, about five minutes.
Q. When taken out of the bath what was done? A. It was placed in the holder.
Q. Did you examine it? A. No, sir.
Q. Did you examine the camera. A. I looked into it.
Q. What part of it? A. As we look into the mouth or aperture.
Q. You did not uncrew the lenses? A. No, sir.
Q. Did you open the slide of the box? A. No.
Q. How long was it exposed in the camera? A. About twenty-five seconds.
Q. That is ten seconds longer than usual? A. No, it takes from five to forty seconds.
Q. During the entire time the picture was taking did you see any change in Mr. Mumler? A. No more than he put his hand upon the camera.
Q. What part? A. The top.
Q. Did he move his hand after he placed the plate in the instrument? A. I think he did.
Q. After you had taken your position, and placed his hand on the camera, did he not place the cloth over his head? A. Yes.
Q. And that was done before the sensitive plate was put in it? A. Yes.
Q. After the photograph had been taken he closed the slide and took it out of the camera, did he not? A. Yes, sir.
Q. Did he precede you into the dark room? A. I was with him.
Q. Was the room dark? A. The room was dark except a ray of light from a glass.
Q. Was there a lamp burning in the room? A. No, sir.
Q. How large a yellow glass was there in the room. A. The size we generally use.
Q. And he went in before you, carrying the plate in his hand? A. I was by his side.
Q. Did you see him move the plate? A. Yes, he then took the plate out and developed it.
Q. What did he use? A. I do not know, I did not examine.
Q. Did you keep your eyes fixed upon the plate during the entire time? A. I did.
Q. What then took place? A. I saw the two pictures appear upon the plate, and we took it out and examined it.
Q. Did you examine the ghost; what was it? A. It was the face of a gentleman.
Q. Was it the face of any one you knew or saw before? A. I did not recognize it.
Q. Did Mumler say who it was? A. No.
Q. You say that you observed the process three times; did they vary at all? A. No, sir; the same course was adopted on every occasion.
Q. When he took the plate from the slide after the exposure did he hold it up to the light? A. No, sir.
Q. He immediately inserted it in the bath? A. Yes.
Q. Now upon the occasion of his coming to Poughkeepsie was there anything different in the mode? A. No, sir, he came without any materials and used my materials.
Q. You did not take any ghost pictures before or since? A. No, sir.
Q. You do not know how they are done? A. I cannot tell.
Q. Then because you are unable to tell how they are made you conclude that it is done unnaturally? A. Yes.
Q. And you rest your belief upon the fact that you do not see how it is done? A. Yes, so far as the process is concerned.
Q. Is there not a method known to photographers by which a positive picture is taken on glass; then, after the negative is taken in the ordinary way, by placing the positive picture behind the negative, and a solution for the purpose applied, by holding it up to the light there is an indistinct photograph on the picture? A. It could be done, but the order will be reversed.
Q. It can be done in that way? A. Yes; it can be done at the time of printing the picture; that is, after the negative has been rendered perfect in form. There is also a mode by the use of double printing; also by having a card picture.
Mr. Gerry (producing a photograph) - Look at that, and tell how it is done.
Mr. Day - I do not see the reason of the question.
Mr. Gerry - We have placed him here as an expert.
The Court allowed the question. A. It is done by a second negative; I can produce the same effect with a negative.
Another one was shown him, when he said a similar one could be produced by mechanical means.
Mr. Day - I object to having the pictures put in as evidence.
The Court said that they would be allowed in.
Mr. Baker - They are presumed to be original or only imitations.
The Court - Yes, imitations.
Mr. Baker - Not to be termed "spiritual photographs."
Mr. Gerry - I do not term them as spiritual photographs.
Mr. Baker - Of course, we expect anything to be capable of imitation.

A number of other pictures were handed to the witness by Mr. Gerry, having shadowy representations of men and women on them, which the witness said could be produced by mechanical means, though some would be more difficult than others.

The Court—The defence say that these pictures are produced in Paris and Poughkeepsie. Is there any gallery in Poughkeepsie? A. No, sir.

The Court—You say you have not taken any? A. No, sir; nor were any taken there except those taken by Mr. Mumler, and once that my assistant, Mr. Gedney, took one time; I have experimented on them myself, but I never allowed them to leave the gallery.

Mr. Day—You have been questioned, by which the inference is drawn that there might have been something in the camera; can there be anything taken but what is outside of the instrument? A. The object must be outside; I do not think that anything could be taken except it was outside; Mr. Mumler did not have any implements or chemicals with him when he came to my place.

To Mr. Gerry—I never experimented to see if an image could be produced by having something in the camera; Mr. Mumler came at my request up there; I asked him to come there in order to experiment upon the matter further; he paid his own expenses.

TESTIMONY OF WM. QUAY.

William Quay was then sworn. In answer to Mr. Day he said: I am a photographer; I have not been very long in this city as such, but I am a photographer of twenty years' standing; from the papers I think I was present when Marshal Tooker called; the person who called had an interview, I think, with Mr. Mumler; he said to me that he wanted a photograph taken; I told him that the charge was \$10, but he seemed not to have it, and so I asked him for something to guarantee his return and he gave me \$2; I then sent him up stairs, that is all I remember; about eight years ago I was especially commissioned by Andrew Jackson Davis to investigate this matter as carried out by Mr. Mumler; I went to Boston, and was engaged about three weeks with Mr. Mumler; I in that time suggested every way I could think of as that in which the pictures were produced, but I must confess that I failed; I did not notice anything out of the ordinary course in the way he took the photographs; he placed his hand on the camera, and that was the only change from the usual process of taking them; I developed the picture after it came from the camera, and also conducted the whole operations from beginning to end, except placing it in the camera box; quite a number of those who sat for their pictures recognized the shadow on them as their friends, and were very much satisfied with them; in all my experience I have never known of a portrait being taken by placing a picture in the camera, it is always done by an object outside.

To Mr. Gerry—I have known of my own knowledge that persons deceased, who had never had a picture taken in their lifetime, had appeared upon those of their friends, as in the case of my wife, who sat for a picture, and her father appeared upon the mother saying that her husband never had a picture taken in his life-time; of course, I do not know of my own knowledge more than that, whether he had a picture taken or not; I gained access to Mr. Mumler's gallery by paying him for arranging everything in the place, to find out how the thing was done; Mr. Davis paid part of the expense; I told Mr. Mumler what I had come there for; I cannot answer whether or not I am a Spiritualist, or whether or not I believe in corporeal presence; I am a disciple of the philosophy of Mr. Davis; I became connected with Mr. Mumler in this city on the first day of March last; my name is not Silver, nor have I ever passed by such a name; we were to share the profits equally, there has been no dividend paid yet; there has yet been no settlement; he told me to take the ten dollars in advance; there are quite a number of persons whom I call respectable persons; I know their names; I see some in the room; I see Mr. Hall, Mr. Newton, Mr. McDonald, Mr. Hitchcock, Mr. Gilmore; I do not know their Christian names; they all came for spiritual photographs; they paid in advance; it is the rule.

Mr. Gerry—How large an amount did you take in?

Mr. Day—I object. Objection maintained.

To Mr. Gerry—I did not know Marshal Tooker when he called; I do not even know him now.

The Marshal here stood up and the witness said that he could not identify him.

Mr. Gerry—Will you look at this photograph and say whether or not such can be produced by mechanical means?

Mr. Day—We admit that imitations can be produced.

To Mr. Gerry—That process is the double negative; in Boston I examined the plate before the collodion was placed upon it; in my endeavors to find out in Boston, I also examined the camera thoroughly; I also examined the plate after it came out; I drew out the slide, I took the holder with the plate into the dark-room, and there I took it out; there are about two or three different methods besides Mumler's by which these can be produced, as, for instance, by putting a person behind the sitter, or by a combination of reflectors, or by using a looking-glass to reflect the figure upon the camera; I never tried the experiment; I have never been able to do anything by placing an object in the camera; we buy our cameras anywhere where they are made, all over the States; I do not know where Mumler bought his; I did not know that the person I served on the occasion was Marshal Tooker. If I felt at all suspicious would not have done so; I cannot remember what he said when he came to get his picture taken; I never said that I could produce a deceased friend upon the picture; never made any such statement as that; was not present when the picture was taken; never said to him that we could not produce the likeness of a deceased friend, but perhaps with regard to the latter part of the question, that the picture which would appear upon the portrait would be the nearest in sympathy with him; I might have said so, it is my way of thinking that the picture which appears is the person nearest in sympathy with the sitter, but I did not state so to him, I am sure; whenever I do state it, it is upon my own authorization, and it is before the money is paid; I told him that the pictures were produced by spiritual agency.

Q. Did you not state to him that Mumler produced them by supernatural means? A. I do not remember of using the word "supernatural."

Q. Or anything to that effect? A. No, sir; to the court. I suppose the lady mentioned in Marshal Tooker's affidavit was Mrs. Mumler, who was present; but I do not remember of any lady being present; she is in the habit of being present.

Q. He says that she went up stairs, and that you detained him some ten minutes for the purpose of giving Mumler an opportunity of arranging things? A. It is possible that he may have been detained; when the plate is ready they ring a bell.

Q. Is it the rule for her to remain and hear what takes place? A. As a rule, not.

Q. You state, then, that the suspicions with regard to Mrs. Mumler are not correct? A. I cannot see how they can be.

Q. Then there is no understanding between you and Mrs. and Mr. Mumler? A. No, sir, you can rest assured of that.

EVIDENCE OF JUDGE EDMONDS.

Judge Edmonds being sworn, in answer to Mr. Day, said: I am acquainted with Mr. Mumler; I sat in his gallery for my picture; about two or three weeks ago I was invited by two gentlemen friends of mine, Mr. Gray and Mr. Hunt, to go in there with them and have our pictures taken; we went and saw Mr. Mumler and his wife; altogether we had seven pictures taken, and upon all there was the appearance of this shadowy ghost; when I took my seat for the first picture, I sat fronting the camera, and then for the second I sat sideways towards the wall, and thus was I taken, and upon the picture came that shadowy form (exhibiting the photograph); there was nothing on the wall; I turned so because I had heard that a shadowy form might be placed behind me; it there had been anything there I should have seen it; the image I do not know; when I turned to the camera the picture you see is behind me. (This represented a female dressed in white, with her right arm over Judge Edmonds' right shoulder, and resting upon his right breast); that one I think I recognize; in reference to this "fraud," I do not myself say whether there are spirits or not in it, but about 14 years ago I received from some place west of the Mississippi—the person is a stranger—four or five little tin figures or daguerreotypes which were represented to me as indicating the pictures of deceased persons, and that I was informed by several persons that thing was intended to be followed out; well, I said them away, and heard nothing more about it until about four or five years ago in Boston; I examined it with persons of intelligence, such as Mr. McDonald and Dr. Childs, of Philadelphia; I tried to guard against deception or fraud upon representations made to me that possibly it was not bona fide; I was shown pictures in the first place—pictures like these—of persons who had never been in this country, and of whom no pictures existed, and, in particular, the case of a merchant who had Hong Kong, and of whom no pictures existed; then, again, I was shown a picture that it would be impossible for any person to make; it was published by the Appletons that there had come to the city a man who made such pictures, and I went to the place and saw the artist and he told me that he could do it; I asked him the question, if he could give the picture of a deceased person, when no picture was in existence, he said no; I asked him further, if he could give a picture on which the spirit form was transparent, he said "no it cannot be done;" I have been anxious to find out whether it is or not a fraud; it is not alone by Mr. Mumler that the thing is done, we have accounts from Paris and other places, and also there is an artist in Waterville, near Utica, and who takes a far better spirit photograph than Mumler; there is also an artist in Buffalo who can do the same thing. [A picture was here shown the witness by Mr. Bromond, a subsequent wit-

Wm Quay

made minute examination of facts

Judge Edmonds

acted under suspicion of fraud

Mumler Did not promise

Hall & Co

862
382
642
206
261
191
251
141
3

Saw nothing between him & the wall

ness, showing with the latter and a woman the shadowy outline of a child, and Judge Edmunds asked him if the lady was his wife. Mr. Bremond said no; that it was a lady who stood up with him in order to have the picture of the child appear. Judge Edmunds continuing—There has been great diversity among artists as well as others—The Court—You say that you thought that you recognized one? A. Yes.

Mr. Day—Did he place his hand upon the camera, or do anything out of the way? A. I do not think that I even saw him place his hand upon the camera, because I sat sideways.

Q. Do you know any others who visited Mumler's gallery? A. A great many. We reason about it in this manner. The probabilities are that the pictures are of spirits surrounding us upon the earth. It is possible they may be; but we are not willing to come to a conclusion until we have positive proofs, and in the meantime spiritualists wait and see; the art is only in its infancy as yet; it will be developed hereafter; I will not pronounce any judgment about it, but will await to see.

Mr. Gerry—What did they charge you? A. \$10 for the first sitting and \$5 for the second.

Q. Who was in the room at the time the pictures were taken? A. Mr. Gray, Mr. Hunt, Mr. Mumler and myself.

Q. They asked you to call with them to get your photographs taken? A. Yes.

Q. Previous to that time you had not seen Mumler? A. Never.

Q. Did you see Guay there? A. Yes.

Q. Did Mrs. Mumler come up stairs before you? A. No; she remained there, I think, when I went up.

Q. Of course you did not examine any of the glasses, you merely sat and looked at the wall and saw this thing? A. Yes.

Q. I understand you that this picture you do not know? A. No.

Q. All you know is that it appeared upon the picture? A. I saw it on the negative.

Q. Do you believe that those pictures are photographs of spirits? A. I believe them to be produced by mechanical means; I do not believe that they are produced by supernatural means; it is in obedience to a law which we do not know of; I have seen spirits, and there are very many who have seen them; if a spirit is visible to the eye why is it not visible to the camera?

Q. When you looked at the wall, did you see any spirit form or substance? A. Nothing.

Q. There was no ethereal being between you and the wall? A. I did not see anything.

Q. Do you believe that the immaterial form on the photograph was placed before the camera? A. There are two propositions in that question; I do not believe that there is anything immaterial; there are things unknown to our senses, of course, as gas and air, that is one thing, and I believe, therefore, that the spirits are material but with a refined degree of materiality far beyond the gross existence which we occupy; but still as there is sufficient matter to be visible to the naked eye, why cannot it not be to the camera? The camera can bring forth substances invisible to the naked eye.

Q. Then the picture is a representation of the substance that the spirits possess—a quasi materiality? A. Yes.

Q. Then you believe that this spirit form is the representation of a materiality? A. Yes.

Q. Then you believe that this is an immaterial form? A. Yes.

Q. Yet you did not see any material form between you and the wall? A. No.

Q. Then you believe that a camera can photograph a form that is immaterial to the spectator? A. I was present at the trial of a case a few days ago in Brooklyn, it was upon an accident policy. I saw standing behind the jury, when the case was going on, the spirit of the man whom the case concerned. He told me that he had committed suicide, and that they ought not to recover.

In that court-room? Yes, and described the place where he said he killed himself, and gave me a diagram of it; I showed it to the counsel, and he said it was the very place where the death occurred; then the spirit gave me four questions to ask the Superintendent of the Hartford Lunatic Asylum, who was present; I wrote them. The first question was: "Can a man be insane and be himself conscious of it?" 2. Can he, being thus conscious at times, control it by the exercise of his own will? 3. Can he find that it is sometimes beyond the control of his own will? 4. And when he finds himself thus overpowered by the disease, is it likely to produce despair and a tendency to insanity? He wanted the counsel to put the questions, and the witness answered them in the affirmative.

Q. These questions have been asked medical experts; is there anything extraordinary in them? A. Not at all. I have had many cases of insanity before me as a judge.

Q. With regard to this man, was there anything substantial, or corporeal, or incorporeal, about him, like these photographs? A. Yes, like them, I saw Judge Talmage, in the spirit, once sitting upon a window-casing, and if he had had a human form, I could not have seen the casing through him.

Q. Is the form in which the spirits appear clothed in ordinary clothing, or in those in which they have been buried? A. Both. I have seen them clothed as in life and then in their grave clothes, but I do not know that I ever saw any without clothing.

Q. In the case of the man who committed suicide, was there anything to indicate that he had so perished? A. Oh no, he drowned himself; that was the story, and his body was found floating in the water.

Q. Was his appearance corpse-like? A. No, sir; like the picture of Livermore, there.

Q. Well, that is a corpse-like looking picture? A. Oh! no; well it looks like me then in the picture in your left hand.

Q. Do you understand anything of chemistry? A. Well, a little. I learnt it in college.

Q. Have you any scientific knowledge of light and the passage of the solar ray? A. Oh, no, only as a general reader.

Q. You have studied the law of humanity very carefully? A. Yes, as far as the legal aspect is concerned.

Q. Is there such a thing as an hallucination? A. Yes.

Q. What is an hallucination? A. If a man believes in a state of things that does not exist. Take the case of Othello; he was jealous of Desdemona; he was laboring under the idea of her infidelity; that is the best description of it I can give. I am making a light answer because it is difficult for me to describe it except by familiar instances of that sort. A man gets an idea into his head that is not the truth, but he thinks it is the truth. When these hallucinations become uncontrollable, then the person is insane.

Q. In other words, it is a question of insanity? A. Since the prosecution has commenced I have received letters from Washington and Boston, and elsewhere, that are not evidence in the case, of course, but they bear upon the case very strongly.

The witness was about to read them, but by consent of counsel it was postponed to a future trial, and Judge Edmunds then left the box.

EVIDENCE OF WILLIAM GURNEY.

This was the next witness, and in answer to Mr. Day said: I am a photographer at 707 Broadway; I have been engaged in the business twenty-eight years; I have visited Mr. Mumler to have my picture taken; I witnessed the process, but I did not discover any deception. I saw the process of preparing the plate for the taking of a photograph, that is all; I saw him develop the picture, and upon the negative was a shadowy form; in developing it I applied the chemicals; he placed his hand upon the camera.

Q. There is a spirit upon these in front of the sitter; could an object pass before him like that without his knowing it? A. I think not. I have also witnessed the process in Boston. In all my experience I have never known of a picture being taken by placing an object in the camera, it is not possible to take an object except that it be outside of the instrument.

To Mr. Gerry—I cannot say that he placed his hand upon the same place every time; I could not find out if there was a spring there to produce the effect; I do not remember of having ever given a certificate to Mr. Hill that he could produce colors upon daguerreotypes. (Looking at a photograph.) This can be produced by having a person standing behind the sitter, or a picture; I do not think that an engraving would do; I did not feel anything cold or clammy or anything to cause a shivering sensation when I had my picture taken; I do not know whether the same might have or have not been produced by putting soiled collodion on a plate imperfectly cleaned.

Mr. Day—You see in that picture that the arm is in front; could such an effect be produced by an object being placed in front? A. No, not to my knowledge.

TESTIMONY OF JAMES R. GILMORE.

To Mr. Day—

Q. Were you acquainted with Mr. Mumler? A. Slightly.

Q. What is your residence? A. At the Belmont Hotel.

Q. What is your business? A. I am an author.

Q. What name do you take as a literary man? A. Edmund Kirke.

Q. For whom do you write? A. The Atlantic Monthly, Harper's, and different periodicals; I have visited Mr. Mumler's gallery; this was on the 23d of March last; the editor of Harper's Weekly wished me to write up the question of spirit photography.

The Court—That was previous to arrest?

Mr. Baker—Yes, sir.

The Witness—I was sent to make an investigation, the object of the editor of the Weekly—

Mr. Gerry—Never mind that.

The Witness—Well, I called upon Mr. Gurney, the photographer, in Broadway, and asked him if he knew anything about spirit photography; he told me that he had investigated it somewhat; I told him then what my purpose was—to write an article which should contain illustrations. "Now," said I to him, "I have no faith in the matter, that to me it is absurd to say that spirits can be reflected by the rays of the sun, and therefore it is a humbug; now where can this humbug come in?" He

in different ways: I then called upon Mr. Mumler, 630 Broadway, and saw first the gentleman who testified here (Mr. Guay). I stated to him what my purpose was, who I was, and stated to him that I would like to have my photograph taken. "If you are willing to be shown up, if I can detect you," he said, "I am perfectly willing. However, I will speak to Mr. Mumler about it." Mr. Mumler was not in the room, but a lady was there with Guay, whom I was introduced to as Mrs. Mumler. Only two or three others were there besides us three. Either Mrs. Mumler or Guay stepped up stairs and brought down Mr. Mumler. I repeated what I had said to Mr. Guay. He said, "I will be happy to take you and am not engaged at present, and I will take you at once," I said, "I will be taken at once." We walked upstairs, and my picture was taken, which I have here.

The witness here produced his own photograph, with a slight shadow of a man by his side. The Court, having seen it, said, "It looks very much like me, indeed." (Laughter.)

The witness—I have noticed a gentleman within the bar to whom it bears a strong resemblance. Mr. Gerry—Ask him to stand up, perhaps he is not corporeal. (Laughter.)

Mr. Day—Does that picture resemble the one taken in Boston? A. Yes, I think it does. I have the Boston picture here. In regard to this I must explain that four years ago, at the suggestion of a friend, I went to Mumler in Boston, and had my picture taken there, and there came a face which I did not recognize; but there is, to my eye, a similarity between the two faces—the one that I had taken here, and the one in Boston.

Q. While the pictures were being taken, did you attend to the manipulations of the plate? A. I attended to the entire process.

Q. State your examinations. A. In the first place I examined the room; I saw there was no one present except Mrs. Mumler, Mr. Mumler, and myself; by no possibility could there have been any person behind me; I can swear that there were only three individuals as far as I could see; how many spirits there were I am not able to say; I then remembered the instructions of Mr. Gurney, having first told Mumler that I wanted to watch; he went into a dark room; I saw the plate upon which the picture was to be taken; he breathed upon it and held it up to the light; that was one of the points in which Gurney told me the trick would come in; I saw nothing upon the glass whatever, no kind of impression; the dark room was lighted with a window about as large as three panes of glass, covered with yellow paper; I then saw him prepare the plate—this same plate which he held out; I, after the plate was prepared, saw him put it into the box which goes into the camera; then he put it into the camera; Mrs. Mumler at this time, wherever she had been before, was a little at my right; she could not have moved without my seeing her; Mr. Mumler stood at the camera; I think at first his hand was on the camera; the operation was gone through with in the ordinary manner, and when sufficient time had elapsed he said now I am ready; he took the box out of the camera, and I followed him to the dark-room; he applied the solution for the development under my own eye; I looked close to the edge of the glass, to see that there were not two glasses—that is, a negative glass and a positive one; I then watched the picture coming out gradually; he applied the water to it, and it came out in a very indistinct, shadowy form; he then held it up to the light, and said at once, "There's something there, you see; it is very poor; I think you had better sit again, I do not think that it will print so as to be recognized." I then sat again, going through the same process; I had covered then the three points which Gurney had suggested, where the trick could come in; the second photograph which was taken is the one, I suppose, which was given to you; I watched the picture coming upon the plate; Mumler went to the door with the plate in his hand; the picture on the negative is the one precisely upon this photograph; the second sitting did not entirely satisfy me; then I sat again, and then there came nothing; the spirits had come to the conclusion that I was handsome enough to have my picture taken without their help. (Laughter.)

Mr. Gerry—Oh, no! you watched them too closely.

Witness—I was asked by a lady, who was a firm believer in the matter, whom I met previously, and from her relations to the editor of the weekly, I was sent to investigate it. I was asked by her to have the picture taken; she said, "I am a medium, and I think I could bring your friends." I said I had no friends on this side of Jordan. My father died while I was a stripling. I was referring all the time to a relation; she said, "You certainly must have some friend." I have a friend, said I, mentioning his name, I think if he can come to me he will; I sometimes feel him, though I might be mistaken; I had this friend in my mind when I sat down, and I said to myself that this having in mind was what actually produced the thing. That was my own idea about the matter. The image which was formed in my mind, I thought, would be the only one which would be shown upon the plate. I thought it would be that friend, Mrs. Mumler, who sat in front of me at the second sitting, said to me while Mumler was closing the aperture, "Now you will have a

picture, and a good one;" and went on to describe the individual whom she saw standing at my back, and who would go on the photograph. My friend was a man of marked personal appearance, and her description tallied with his looks; I thought it would be he. He had large, Oriental eyes and large beard, a better-looking man than your Honor. (Great laughter, in which the court joined heartily.) When the picture came I was disposed to think it was he, but it was not. This was an interesting thing to me, because it showed me that it was not my own mind which produced the thing upon the photograph. My theory was, therefore, overturned. The picture resembles the Judge much more than it does my friend. (Laughter.)

The court—You did not have me in your mind at the time. (Laughter.)

Witness, continuing—That was about all.

Q. Did you go to any other place? A. Yes, the same day I went to Mr. Rockwood's, a photographer further up Broadway, at 89; I asked him if he could take spirit photographs; he told me that he did, bogus ones; "Well," said I, "that is the kind I want; I want to see what the trick is; you have investigated the thing, I hear;" he said he had; "Do you know how Mumler does it," I asked; I told him about it and that I was not able to detect it; I did not mention that I had been first at Mr. Gurney's place, as he had asked me not to say anything about it; he said that he took them by Mumler's process, and showed me one; he then suggested that he should take me. (The photograph has the face of a beautiful woman on the right of a sitting man.) I then went up stairs and sat down before the camera; but I went into the dark room first; I wanted to see how he did it; I saw nothing done to the plate in any form, and took my seat in the usual manner, and then had that photograph taken (producing one with a dim outline of a face.)

Mr. Day—Did you see the trick practised? A. I heard a step behind me and saw the reflection upon the glass of the camera; Mr. Rockwood was not then at the moment; but I said to him directly that he closed it, "that is transparent, Mr. Rockwood, I heard you step behind me and saw the reflection upon the camera." It was himself standing behind me with a sheet over his shoulder and his hand above his head; he then tried it again and this was the result: (this picture was so indistinct that it was not far removed from a black spot; the way in which it is done is by having a square piece of card with a hole in the center cut in a star form; I heard no sound nor can I swear that that was the way in which it was done except what he said himself. "Now," said he, "for the Mumler plan." Of course my senses were alive to detect it. We went through the first process, saw the preparation of the plate, and putting it into the camera. I then sat down in front, heard no sound; I looked behind me and saw nothing; followed him into the dark room, where there was a gas jet. It was brighter than Mumler's. He took it out of the box, and I thought I saw something in the box, but that I cannot testify to positively. He then applied to the plate a solution and said, "This is going to be a fine picture;" ran it up and down rapidly before the gas-jet as if he was looking at it. While he did that I noticed the picture of a female dressed in a long robe, and immediately casting my eyes upon the edge of the plate I saw that there were two glasses. He said that running it up before the gas struck the impression of the other negative upon the plate and left the impression, and that that was the way Mumler produced his pictures.

Q. Did you see Mumler use the means that Rockwood employed? A. No, sir. I am positive of two or three facts: 1st. That the plate before it went into the camera had nothing upon it; 2d. there was nothing in the camera; 3d. no one stood behind me when the picture was taken, that is, no physical being; 4th. I am positive also that when the picture was brought out in the dark room there was no negative under the plate upon which the portrait was taken. These four things I can swear to positively.

Mr. Baker—What was your report to the Harpers; has the report been made? A. No; on the 25th instant I found a note from the editor, stating to me that he had ascertained that Mr. Fletcher Harper, Jr., before he had applied to me to investigate the matter, had obtained sufficient evidence—(reads the letter); "We have obtained sufficient evidence and material; the whole affair has been exposed, and we have in hand the material and sketches for the matter in our paper." This was the day on which Mr. James Harper was thrown out of his carriage. Not caring about writing the article, but feeling an interest and wanting to know how they explained the thing, I went down to the office; I told Mr. James Harper, Senior, that I had received his note, and asked him how they proposed to expose the trick. "Well," said he, "I cannot tell you that, but if you go to Mr. Rockwood, in Broadway, he will tell you all about it." I said that I had been there, and said to him at once, "if you rely upon Rockwood you cannot make any exposure, at least, none but one which will be tripped up, for I have been there, and I am entirely convinced that there is a 'nigger in the fence' (laughter), and where it is I don't know." I believe that the spirit is intangible.

Mr. Baker—You have not advanced far enough yet.

Examined Critically

Yellow paper

Rockwood's a gas-jet

Knows positively 4 things

Did everything himself

No hand on the camera
Developed it himself

I heard the conversations between
Mr. & Mrs. Mumler

Has examined the camera
& everything

new but dirty glasses

Mr. Reeves

Q. When Mr. Mumler took your gallery, did he bring his own materials? A. No; the camera and other materials he used were those he bought of me.

Q. Did you see anything particular in his preparations when you had your likeness taken? A. I prepared everything myself, plate, and other things.

Q. Did you ever have any manifestations on your pictures before this? A. No; never.

Q. When was this picture taken? A. About a week after he had taken the place.

Q. Had Mr. Mumler any opportunity of manipulating your instruments before he produced the picture? A. Not at all; I have been present individually, at the time when he has taken these pictures, and I have watched the process as narrowly as I could; I have seen him put the collodion on the plates, put them in and take them from the camera into the dark-room.

Mr. Townsend—Have you ever been able to detect him in a fraud? A. No, I have not, though I have examined him closely.

Q. Then you have seen spirit forms produced when Mr. Mumler has not prepared the plates, &c.? A. Yes; I have known spiritual manifestations to occur when I have prepared the plate and Mr. Mumler has exposed it.

Q. What do you mean by exposed it? A. Simply removing the cloth. I have seen spirit forms exhibited when he had not his hand on the camera.

Q. Can you solemnly swear that there is no sort of collusion between you and Mr. Mumler? A. Yes, solemnly. I sat for another picture, by request of Mr. Mumler, for the purpose of trying the collodion; Mr. Mumler told me to take the plate into the dark room and develop it; I did so, and there was a spirit form on the plate.

Cross-examined by Mr. Gerry—Are you a spiritualist? Witness—No.

Mr. Gerry—You do not become a convert to spiritualism notwithstanding all these forms? A. I believe in the picture; I believe the impressions produced are produced by spiritual means.

Mr. Gerry—Do you know Mrs. Mumler? A. Yes.

Q. What is her age? A. I do not know her age.

Q. What do you think her age is? A. Between 50 and 20. Several other questions were put by the counsel in order to arrive at a scope less limited in the witness's supposition of Mrs. Mumler's age, but nothing more definite could be elicited.

Mr. Gerry remarked that this showed the value of the witness's testimony.

Mr. Gerry—What were Mrs. Mumler's duties in the business while you were there? A. She was occupied in the reception-room, but sometimes came up into the gallery to say that persons were waiting down stairs.

Q. Did you hear the conversation which passed between her and Mr. Mumler on these occasions? A. I heard what was said on every occasion when I was present.

Q. Did she ever remark upon the ages of the persons who were to sit? A. I never heard her do so.

Q. How often were you present during these conversations between Mr. and Mrs. Mumler? A. I don't know.

Q. Three times? A. Yes.

Q. Twenty? A. Yes.

Q. A hundred times? A. Yes, perhaps a hundred times.

Q. And nothing has ever been said with reference to the persons about to sit? A. No; the only conversation was Mrs. Mumler's saying that a lady or gentleman was come to have a likeness taken.

In answer to the Judge, witness said Mrs. Mumler gave the tickets to the sitters.

Mr. Gerry—What do these tickets contain? Witness—The number of the sitters.

Mr. Gerry—Have you ever examined the slide of the camera? A. Yes, I have, and taken it to pieces, but never found anything but what belonged to it, nothing but what is in every slide.

Mr. Gerry—What is the slide composed of? A. It is composed of a wood frame work, with an aperture where the sensitive plate is put.

Q. On the occasions you speak of, who closed the slide? A. Mr. Mumler.

Q. You have never closed the slide, and found, on taking out the plate, that there were spirit forms there? A. No.

Q. On the occasion when you took out the plate, and saw the spirits developed, who prepared the glass? A. I prepared it myself.

Mr. Gerry—Q. Was it a new glass? A. No, it had been used before; we are in the habit of washing off old negatives.

Q. From March to November, during the time you were there, how many photographs did you take? A. Perhaps 500.

Q. Did you ever purchase any new glass during that time? A. No.

To Mr. Townsend—We prepare by the usual process; I have never, on any occasion, seen any impression left on the glass after it has been prepared; Mrs. Mumler's duties were to see to the customers and send them up stairs; I don't remember having any application made to me by customers—it was not my place or business to receive them.

To Mr. Gerry—Sometimes we have used old glass, and it dirty; the effect has been merely a dirty effect.

To Mr. Townsend—There is no distinct form in such a case; the effect is merely dirty.

Mrs. Luther Reeves was then called, and in answer to Mr. Townsend said: I know Mr. Mumler; I first saw him at No. 630 Broadway, where I called with my nephew, Charles Welling; my nephew then sat in my presence, and with his likeness was the spirit form of a boy of mine who passed away a year ago; I went myself for a sitting about the 25th of March, 1869; I went with my own likeness appeared a portrait of my little boy, which I recognized; my boy was 11 years old when he died; his likeness was produced both on my nephew's card and my own card; on my nephew's card the likeness resembled him as he appeared when he passed away; in mine he looked as he did in health. The cartes were here produced by the witness. On going to Mr. Mumler's, I first saw Mrs. Mumler, but cannot recollect actually what passed between us; I did not state to her what I went there for; she put my nephew's name on the book; Mrs. Mumler went up stairs with us. On cross-examination, witness said: During the process, I heard raps on the floor; they continued in rapid succession for a short time.

Q. And I suppose you looked down on the floor to see what it was? A. We might have done so.

Q. Is your nephew a believer in spirits? A. I cannot answer the question.

Q. Do you believe deceased persons revisit their friends? A. I cannot say; I believe so by the pictures.

Q. Did you entertain belief in Spiritualism previous to the production of these pictures? A. I did not.

Q. From these pictures you believe in supernatural powers? A. Yes.

Q. You thought the raps as well as the pictures were supernatural did you? A. Yes.

Q. Where was Mr. Mumler? A. Don't know; he came up after the rapping had ceased; Mr. and Mrs. Mumler were both standing at the camera at the time the picture was being taken; Mr. Mumler had his hand on the camera all the time.

Mr. Gerry handing the witness the pictures, asked if she could possibly tell whether the spirit form there represented a boy or a girl? Witness said it represented a boy.

Mr. Gerry—Have you ever examined this spirit picture with a microscope or magnifying glass? A. I have examined it with a microscope, but not with a magnifying glass.

Q. And you believe this to be a portrait of your boy? A. I do; my boy was suffering from disease of the spine, and the appearance of his complaint is visible in one of the portraits; the time which elapsed between the taking of my portrait and that of my nephew was about three months.

Mr. Townsend—Is there any question in your mind, as the mother of that child, about that being his portrait? A. None at all.

The witness was then leaving the stand, when the Judge called her, and requested her to examine the portrait through a magnifying glass, which she immediately did, but still adhering to her opinion that the likeness was a just one.

Samuel R. Fanchaw was then sworn, he is an artist of portraiture, &c., and reside at Morrisania, Westchester County; I have had some experience in photography and have seen the process constantly during the last year; I first made the acquaintance of Mr. Mumler at his gallery last November.

Mr. Townsend—Under what circumstances did you go to him? A. I had heard of Mr. Mumler and his spirit pictures and was determined if ever I went to New-York to go and make some examination; I went to him very sceptical on the subject; I first saw Mrs. Mumler at No. 630 Broadway, and told her my object in going was to see anything in the pictures different to other pictures; I made an examination and could see a distinct difference in the outline; I said I should like to have a sitting, and I made arrangements with Mr. Mumler to exchange portraits of art for the pictures; Mr. Silver was then proprietor of the establishment; Mr. Mumler asked me if I was familiar with photography, and I told him I was; he allowed me to go into the operating room and make all the investigation I liked; I took the glass used and breathed on it, finding it quite clean; he took the glass and poured collodion on it.

Q. What is the object in pouring collodion on the glass? A. For the purpose of making the surface sensitive.

Q. What was then done? A. He took the plate and immersed it in the silver bath.

Q. What is this done for? A. To produce sensitive-ness.

Mr. Gerry here interposed, remarking that if this witness was going to be examined as an expert he should examine him to find out how far his knowledge of photography extended. In continuation the witness said he kept a close watch on all the proceedings of Mr. Mumler, but was quite unable to detect anything in the shape of fraud. He examined the room carefully to be sure that no one was concealed in any part of it, but could not discover anything which denoted deception. Mr. Mumler was standing in the room at the time I was making the examination. In answer to Mr. Townsend: When having my portrait taken I was facing sideways, but could see the camera; I sat about 30 seconds; Mr. Mumler rested his hand flatly on the camera during the process. I saw him take the plate out and throw the cloth over it before he took it into the dark-room; I accompanied him to the dark-room and saw Mr. Mumler take the developer and pour it over the plate; when the picture was developed, with myself, there was another form.

Mr. Townsend—I will ask you as an artist, was the form a portrait of any one you knew? A. It was, and a very distinct one too.

Cross-examined: What sort of painting have you been engaged in? A. Canvas oil painting, &c.

Q. Have you ever studied chemistry or photography? A. No, I went to Mr. Mumler's as an artist and not as an expert; I know nothing about chemicals producing effects upon sensitive plates; the picture was a portrait of my deceased mother who has been dead 28 years; the likeness has been recognized by all my relatives; I showed it to them without giving any clue to its identity and they all recognized it without hesitation; my mother had no portrait taken during her life, but I painted one from memory some time after her decease; the portrait I took was a large oil painting, the spirit portrait has a totally different view to my portrait; during the taking of the portrait Mr. Mumler had his hand on the rear of the camera.

Mr. Gerry (producing a picture)—Will you look on the shadowy form on that and tell me if you recognize it. A. No, I do not; it does not bear the slightest resemblance to any deceased relative of mine.

Mr. Gerry—Before you went to investigate these forms were you a believer in spirits? A. I cannot answer that question.

In answer to another question, witness said, "As a Christian I believe that spirits do visit the earth, and I was more convinced of it after I had my pictures; I have also a spirit portrait of a deceased son, but it is not so correct as my mother's. This picture was here produced.

Mr. Gerry—Is the amount of your belief entirely dependent upon the strength of the outline? A. Not entirely; it depends upon the appearance of the strong likeness.

Mr. Gerry—How old was your son? A. Twenty-four or twenty-five years.

Q. How long since he died? A. He died five or six years ago; he was killed in Virginia during the late war; from the portrait taken when living such a picture as this could not be produced.

To Mr. Townsend—The oil painting of my mother has always been in my studio, and no one has ever had any opportunity of taking a picture from it.

Mr. William F. Kibney, a photographer of Poughkeepsie, then deposed: I have been engaged fifteen years in the business; I know Mr. Mumler, having made his acquaintance at Poughkeepsie in March of the present year.

Mr. Townsend then put several questions referring to what Mr. Mumler had produced at Poughkeepsie, but upon the suggestion of Mr. Gerry they were ruled out by the Judge as inadmissible. After some discussion on this point the witness continued, giving an analysis of the component parts of the chemicals used in photography.

Mr. Townsend—Q. You say the silver bath is composed of iodide of potassium and nitrate of silver, what effect has it on the plate? A. It makes it sensitive to light.

Q. In your experience did you ever know that after washing the glass, a form of the previous figure remained? Q. I have never known such a thing to occur.

In cross-examination, he said he knew the difference between a white and a yellow light; the latter had no effect in photography. The ordinary color of the sun is white; sometimes it is red.

Q. Could you photograph with a red light? A. I never tried.

Q. Could you with a blue? A. Yes.

Q. And with a green? A. To some extent.

Q. Suppose you operate through a blue light, what is the effect? A. Blue effect, and white light would give a light effect.

Q. Supposing it to be through prism, what then? A. I do not know.

Charles F. Livermore formerly a member of the firm of Livermore, Clem & Co., having been sworn testified: By request of friends in London and other places I made an investigation into spirit photography, and I went to Mr. Mumler; I told him I wished to sit for my photograph as I had a desire to examine the phenomena; I did not pretend to be an expert, but I went with my eyes open; I accompanied him and his wife up stairs, and saw Mr. Mumler put the plate in and develop the picture; I made a careful examination of the glass before the process; I sat twice and each time went into the dark closet and saw spirit forms developed, neither of which however I recognized at the time; I was not satisfied with this result and left the place indignantly; I took the negatives home, had them dried, and showed to Dr. Grey, a friend of mine, who immediately recognized them as representing relatives of his.

Q. Did you recognize them yourself afterward? A. I did; they were female forms; I again went to Mr. Mumler's gallery on the following Monday morning; I did not give him my name on the first interview; on the second occasion Mr. Mumler told me I might sit till I was satisfied, and I sat five times in succession; previously to sitting I made a close examination of the room and the appliances; each time I sat I changed my position; first I sat sideways, and afterward with my arms folded, and in various other positions.

Q. Did you recognize the pictures? Yes, instantaneously; Mr. Mumler made no promises.

Q. Where was Mr. Mumler standing? A. By the camera; I do not know whether he had his hand on it or not.

Q. Have you any experience in the study of effects of light? A. I have studied the spectroscope with my friend in London, and this phenomenon interests me very much.

Q. Did you in all your examination discover any indications of deception? A. None at all; when I went to Mr. Mumler I had a very unfavorable impression of his spirit photography, having heard accounts which prejudiced me.

Q. Whom by? A. By some intelligent friends in Boston; Mr. Mumler told me he could not guarantee the appearance of the phenomenon.

Samuel R. Fanchaw
artist

Wm. F. Kidney - photographer

C. F. Livermore - Merchant

Mumler made no promises

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Quackinbush & Co

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Mrs. Ingles

Mumler did not touch
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cross-examination witness said—*Q. Did Mr. Mumler*
\$20 on the last occasion, because the result was very sat-
isfactory, and I thought he had earned it.
Q. The pictures you had were satisfactory? A. Yes, as
to identity.
Q. In any other respect? A. Yes, so far as they prove
there is a remarkable phenomenon.
Q. Did you recognize this shadow form (pointing to the
picture (as a portrait of a deceased person whom you had
known? A. Yes.
Q. Who was it? A. My wife.
Q. Have you a portrait of her besides this? A. Yes; I
have one hanging in my room, and two others besides.
Q. How lately had you looked at that portrait before
you went to Mr. Mumler? A. I look at it every day.
Q. Did you notice anything peculiar about the expres-
sion in this spirit portrait? A. Nothing but the natural
one.
Q. What did you recognize about it that tends to con-
vince you of its identity? A. It is unmistakable; my
friends all recognize it.
Q. What is there behind your head in this picture? A.
It looks like a wreath of flowers.
Q. Is there any identity between the wreath of flowers
and yourself by which you fix the identity? A. No.
Q. When you were at Mr. Mumler's gallery, did you no-
tice a perfume of flowers, or any peculiar smell? A.
Nothing at all; I believe in spirit phenomenon.
Q. Do you know whether spirits are material or imma-
terial? A. I don't know that I can answer that ques-
tion.
Q. Are they susceptible to feeling, to the touch, to the
eye and ear? A. Yes. The witness then stated that he
had witnessed phenomena produced by magnetism and
electricity, which were unknown as earthly forces.
Q. Are these forces positive or negative? A. I cannot
say.
Q. Were these forces created by artificial means? A.
They were produced by the presence of medium.
Q. And you judge of the effects produced by what you
saw them do? A. We did not see them do anything.
Q. Did Mrs. Mumler do anything during the time you
were having your portrait taken? A. Nothing whatever;
I wish you to understand that I did not say this phenom-
ena was spiritual at all; I have not investigated it suffi-
ciently to determine what its nature is.
Q. Do you believe, from your own knowledge of elec-
tricity and magnetism, that a definite form can be pro-
duced by causes other than human, yet being both sensi-
ble to the touch and eye? A. Yes; I know it has occur-
red in my own personal experience.
Q. State what occurred to yourself?
Mr. Townsend objected to the question.
The witness said they were matters which he did not
wish to publish to the world.
Mr. Gerry therefore waived the point.
Mrs. Ann Ingles of West Seventeenth-st., afterward
gave testimony to the effect that she, on two occa-
sions had portraits taken by Mr. Mumler; the
last time a portrait of her deceased son was visible
on the picture; all who had seen it had pro-
nounced it a portrait of her son; she paid \$10 for
the first sitting and nothing for the last; while this pic-
ture was being taken Mr. Mumler held his hand over the
camera, but did not touch it; on one of these pictures a
double spiritual form appeared, the witness's mother and
her son, the former having her arm round the latter's
neck.
This was the only evidence taken to-day, and at its
conclusion, counsel for the defendant said that they
would not produce any further evidence for the defense,
as they did not see a necessity for so doing.
Mr. Blunt, District Attorney, said he had other wit-
nesses to produce on behalf of the people, and asked that
time be allowed them for their production. After some
slight discussion between the legal gentlemen and the
Court, Judge Dowling adjourned the further hearing of
the case until 10 o'clock on Monday morning.

HOW GHOSTLY PICTURES MAY BE MADE.
To the Editor of The Tribune.

SIR: The curious fact stated below will prob-
ably be new to most photographers, and may furnish a
suggestion as to the method of taking the so-called spir-
itual photographs: A friend in a Western city informed
me that he went with another friend to a skillful photo-
grapher in that city to have a likeness taken of the latter.
A metallic plate was used. The first picture taken was a
good one and a good likeness, but it was partially sur-
rounded by what appeared to be, and might be termed
the ghost of, a wreath of flowers. On looking at it the
photographer remarked "how unfortunate; I used that
plate some time ago for taking a wreath of flowers on it;
but I supposed I had thoroughly removed that impres-
sion, and that the plate was in perfect order." If the
ghost of a wreath of flowers can be thus produced, of
course the ghost of the human face and form could be
also. If glass plates were used, of course this could not
be done. Yours truly,
New-York, April 22.

Wm. Mumler
No. 107 West 17th St.
New York
to the Editor of The Tribune
April 22, 1870



TUESDAY, APRIL 27, 1899.

"SPIRIT" PHOTOGRAPHY.

Continuation of the Case Against Mumler.

TESTIMONY FOR THE PROSECUTION.

Experts Show how Spirit Photographs can be Taken.

MUMLER NOT A BETTING MAN.

He Refuses to Photograph Ghosts in Another Man's Gallery.

&c., &c., &c.

The interest in the so-called "Spiritual" Photograph case was yesterday unabated. A crowd of the same observant character as on previous occasions was present. It was known that the prosecution intended to show that Mumler's "spirit" pictures and the ordinary short pictures taken by legitimate photographers were absolutely identical in certain essential respects. The same counsel appeared yesterday for the people, Messrs. Elbridge T. Gerry and Assistant District-Attorney Blunt; for the defendant there were Messrs. Day, Townsend, and Baker.

Upon the request of Judge Dowling to proceed, Mr. Gerry said that he was instructed that the defence desired the privilege of calling an additional witness, and that the People had no objection.

Mr. Townsend—If your Honor please, one of the three witnesses upon whose affidavits the case was commenced was called upon the stand before I was engaged in the case. I will deem it a great favor if the People will allow me to ask a few questions of the gentlemen who stand here as accusers. The case was suddenly gone into, without, perhaps, a proper attention bestowed upon it by us. Perhaps nothing material will come out of it, but I should like to examine them a little.

Mr. Gerry—When I said that the People had no objection to allowing them to examine further, it was upon the understanding that the witnesses whom they desired to question had not yet been examined. But the papers were very fully made out, and were published long before the examination was commenced; and so full were they in showing the case, that the defence chose to prepare a specific answer, which has been already granted. When we commenced the case they had the fullest opportunity of examining the witnesses for the People; but after one of the counsel had examined as much as he thought fit, he withdrew his right to examine the others. Now, the time of your Honor is valuable, and the time would be unduly enlarged if they were allowed to begin the examination again.

Mr. Townsend—I do not make the application as a matter of right, but simply as a matter of favor.

Judge Dowling—He (Mr. Gerry) thought that it was some new testimony. The defence was asked, upon the conclusion of the testimony for the prosecution, if they had any other questions to ask, and they said "No;" that they had exhausted their examination. I cannot consent to their going back again.

Mr. Townsend—Yes, your Honor; now we have others here who will testify to the same effect as the others—merely cumulative.

Judge Dowling—That was what you said at the conclusion of the last examination.

Mr. Townsend—I will ask, if you allow the prosecution to go into scientific evidence, that we may have an opportunity of rebutting it.

Judge Dowling—This examination must take the same course as others. There is a rule of practice which will be followed in this case.

Mr. Townsend—Very well; we will rest our case then.

Mr. Gerry—I offer, in behalf of the People, in rebuttal, this yellow-colored pamphlet. It is entitled "The Investigations of Spirit Photographs made by Wm. H. Mumler, of Boston, Mass.; studio, No. 680 Broadway."

Mr. Townsend—It is merely a book that is found upon the premises. If that is the one, there is no evidence to show that it belongs to Mumler.

Judge Dowling—It is not denied that they were given to every person who went there. Judge Edmonds says that he was offered one, but that he declined it.

Mr. Townsend—We have no serious objection to its being in.

Judge Dowling—Then let it go in. I have no objection.

EVIDENCE FOR THE PROSECUTION.

Mr. Charles W. Hall was then called by Mr. Gerry. He stated to the court, in the first instance, that he resided in Sixty-first street, and that he was a manufacturer of soap.

Mr. Gerry—Have you paid any attention to photography? A. Yes.

Q. For how long a time? A. Eleven years.

Q. Have you any means of carrying on photography at your house? A. Complete.

Q. Everything necessary in the shape of a gallery and chemicals? A. Everything.

Q. Have you studied the subject of photography at all? A. Yes.

Q. How long? A. For that length of time.

Q. Have you written articles upon it for scientific and other purposes? A. Many.

Q. Are you acquainted with the profession? A. Yes, my acquaintance is very extensive; I know hundreds; I am a member of the American Institute; I have been upon committees having the subject of the inspection of photographic materials on hand.

Q. Were those articles written in more than one language? A. I have seen them in three; I have been shown the photographs given in evidence.

Q. Now please look at these (handing some of the pictures put in evidence) and tell me how they can be made mechanically.

Mr. Townsend—I object, for the simple reason that the defence has set up that these pictures were taken not by natural means; they do not say by "spiritual," but not by natural means, and so they must show that he can take them in the same way that the defendant does.

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Wm. H. Mumler

Edw. J. Hall

Chas. W. Hall

Chas. W. Hall

Chas. W. Hall

Chas. W. Hall

Chas. W. Hall

Chas. W. Hall

Judge Dowling—The prosecution has not to follow the line of the defence; they allege that it is a trick and deception and they want to sustain the allegation, and have called this witness for that purpose.

Mr. Townsend—As an expert in imitations?

Judge Dowling—Yes.

Mr. Gerry (continuing)—Now state, if you please, the different ways in which they can be taken mechanically? A. They can be taken by placing within the plate shield a positive on glass, the image of which would be thrown upon the plate that was sensitized and exposed in the shield at the same time that the image of the party who was sitting would be impressed. They could be made in that way for one.

Mr. Gerry—Your idea is that a picture on glass being first taken, that a spirit form—(turning to Mr. Townsend)—I want to make it plain.

Mr. Townsend—Let him make it plain.

Mr. Gerry—I will assist him.

Mr. Townsend—I object.

Mr. Gerry (to witness)—The positive picture which you have stated is first placed in the camera. How is that produced; from what? A. That is produced from a negative picture previously taken; it may be produced in several ways.

Q. From a negative?

Mr. Townsend (to the Court)—If he is going to muddle the witness—

Judge Dowling—That witness is not going to be muddled; he is too intelligent; pay attention to the question and you will understand it.

Mr. Gerry—Look at exhibit No. 1, and say whether such so-called ghost form would not resemble such a positive picture upon the glass?

A. It would be an exact resemblance of the positive picture, with only a trifling exception, the distance would give it more or less size. Where the positive was black, this would be white, and so, *vice versa*, the positive picture would be the opposite of that color.

Q. When the light strikes upon the centre and passes at the same time through the plate upon which the positive is superimposed, both being in the same slide at the time, what sort of a picture would they produce? A. The positive picture would produce a very indistinct negative in proportion as it is removed from the negative on which it was to be impressed.

Q. Then according as you make the space between the slides greater or less, you render the impression of the so-called spirit photographs distinct or indistinct? A. Yes, or larger or smaller.

Q. Now, after the picture had been exposed for the usual time, and the sensitive plate removed into the dark room from the slide, and the ordinary process of developing was continued in the dark room, would not the picture appear at the same time? A. Yes, they would appear in the manner I have mentioned. (He was then shown a number of pictures which the defence had put in, and he picked out Nos. 1, 4, 5, 6, 7, 9, 10, 13, 14, and 16 as having been taken in that way; the other numbers he said could be taken in another way, which will appear hereafter.)

Q. Now, in the insertion of this positive plate in this slide preparatory to the insertion of the sensitive plate for the purpose of taking the picture, could or could not the operator so adjust the position of the positive plate as to cast the impression of the negative picture wherever he might please upon the sensitive plate? A. He could cast the negative picture wherever he pleased upon the plate. When the pictures are taken in this manner they do not appear upon the sensitive plate in their actual position, but are reversed; that is, the same way in which the figure in every-day life is found upon the retina of the eye, but the brain places them in their true position.

Q. I will call your attention to photograph No. 1 for the defence. Is there anything in it which indicates where the position of the "spirit" must have been? A. Forwards of the sitter.

Q. Now how is this done? (Showing one of the pictures which witness said above was produced in a different manner). A. This is done in the printing.

Q. Look at No. 14. Where must the spirit have been placed? A. In front of the negative, for the white drapery does not cut off the figure of the sitter.

Q. Look at picture No. 4. A. One of the objects could have been taken in the first manner, and the other by second printing.

Q. Mention any of the processes by which this could have been done. A. By having a figure representing the picture coming up behind the sitter for an instant and then withdrawing. These pictures could thus be produced with great facility, and the second figure being out of focus, they would have the same obscure and dim appearance as these have.

Q. Are there any of these pictures which might be produced by this process. A. Yes; another, which is called Sir David Brewster's ghost, where figures are placed behind the sitter, but would not be seen by him; they can also be produced by using a microscopical positive like a watch charm, and inserting it in front of the camera through the screw hole.

Q. How small need one of these lens be? A. I suppose about a quarter of an inch in diameter.

Q. Suppose that inside the watch charm was contained a very powerful microscopic lens, would not that be sufficient to produce an effect upon the sensitive plate by the light striking through upon it, and through the picture, it also being transparent? A. It could be done in that way.

Q. Would such a picture be distinct or indistinct in form? A. Indistinct.

Q. Would it appear upon the person who was within the focus of the large glass at the time? A. It could be made so to appear as in photographs Nos. 13 and 14 for the defence; the same effect could be produced by using a glass positive, the same or similar to that used in the plate shield, which I have described; and holding it between the negative and any light, gaslight or candle-light or daylight reflected, while in the dark room for a few seconds, would impress upon the plate the same character as that impressed by the same positive in the plate shield. Another process is by an arranged bath, the point of which would be open to light, and the sensitive plate placed immediately behind the positive one, the light, as it passed through the positive, would impress the image upon the plate. Such a bath could be prepared without any difficulty; the figure will be indistinct so as to represent these so called ghosts. Another way of producing the effects is by second printing, that is, during the operation of printing from the negative which is made in the ordinary way, another picture could, after that had been printed and removed from the printing frame, be exposed by which another picture will be printed where the so-called ghost is to appear.

Q. Are there any of these photographs which could have been so printed? A. Any are capable of being printed by that process; there are none there but what could have been printed in that way.

Q. Do you know of any mode by which a plate of glass after having been sensitized and prepared to receive the impression of the photographic sitter could be so prepared as to be carried to a distance? A. Yes, it could be done by means of chemicals. The ordinary way is to dry the plates; the ordinary plates are wet; they will not keep. After the plates are removed from the silver bath all the free silver not converted into the iodide or bromide of silver is washed in the water, then the plate is dipped into various almost preservatives or solutions; the most common in use is tannin, ordinary tannin; it is allowed to remain there for a few moments, three or four minutes, then when removed it is set upon end in a dark room or closet to dry; when dried it is ready for exposure, and may be kept for almost any time; I have kept some for three years; how much longer they may be kept I cannot say.

Q. How were they as to sensitiveness? A. So far as I know, as good as ever.

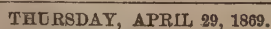
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Q. That is taking your presumption that the figure is a human figure, which I do not admit? A. Then you want me to admit—
Mr. Townsend—I do not want you to admit anything.
Judge Dowling—You can answer the question.
Mr. Townsend—The question is, under the state of facts, could it be possible? A. I cannot see it in that light.
Q. I repeat it. If a person is sitting for a photograph in a perfectly conscious state, so much so that he was there as an expert to detect fraud, and on the sensitive plate as subsequently presented to him there is a figure surrounding him with a hand upon his head with a bouquet of flowers therein—I ask you if the person could have been sitting there and a human form standing behind without his knowing it? A. Not without his knowledge.
Q. Then if he was conscious, then drops your theory? A. If he was conscious then he must have known it, of course.
Q. Then there is no particular form of your theory, provided he is conscious? A. No; if he is an expert, perhaps, he is conscious, and must know it.
Q. Now, where is the picture of the human being which you were going to take with that microscope? A. The lens would be between the microscopic picture and the sensitive plate; the object thrown through the microscope would be presented internally.
Q. Forward or backward of the sitter? A. Behind him.
Y. Could such a picture be taken in the dark room—that is, be capable of being reflected from the negative plate on to the sensitive one by any of the light that you have stated? A. By any light with any actinic power; if there was no gas-light, it could be done by candle-light; and if no candle-light, then by the light outside; and if no light outside, then it could not be done at all; it could be taken through light yellow, but it must be very light; the time that it would take would render the operation impracticable for a business; it would hardly take a year; if it were an average yellow, it would take ten years, may be; if the silver bath had been examined by a person competent to do so, and did not see the ray of light as mentioned, then, of course, that would fall to the ground.
Q. If every portion of the bath were India rubber except the extreme upper part, could the reflection take place? A. No, sir.
Q. Now as to the subject of second printing; suppose that an expert accompanies another into his room, and sees the development after pouring the material upon the glass, and they discover at the same time two figures upon it, would that affect the question of second printing? A. There would not be a question of second printing because the form was there; it could be improved upon and made better.
Q. Look at the exhibit for the defence, No. 4, and say if that was done by second printing? A. My impression is that the one on the left could be done by second printing; I have done that thing myself; it could be taken on the negative; it could be taken without the person being conscious of it, by being placed within the shield, or printed in the dark room upon the positive.
Q. Without the person being conscious that a hand was over him? A. If taken in the camera, of course. The process of the dry plate is by keeping it for use and then exposing it for a second impression; it can be exposed only once if the two are allowed to overlap; it can be exposed more than once without allowing them to overlap by covering it; these pictures, No. 3 for the defence and No. 14, can be done in the same way; it can be printed in "skies," as we term it.
Q. Can a picture be taken upon a perfectly clean glass, and show on the negative the figure previously taken? A. To all human judgment it may be, but it is not perfectly clean, of course. I have seen a figure so come up on a glass that had been tested by the breath, the means ordinarily used. I have seen the image of the old picture come up; the figures brought out by such means would make a picture. I do think that a picture thrown upon a sensitive plate would be of the same size as the sitter, by placing a small positive on the lens that makes the object of the sitter, it would require an enlarging glass.
Q. Can a figure be thrown on the sensitive plate by an artificial light and have the figure thus thrown in the rear of the sitter? A. To all appearances it would be on the same place.
Q. Would it be possible to say as to two human beings, whether one was behind or in front? A. Not in human beings well defined, but here they are indistinct.
Q. If it was a thin screen that you could see through, could you tell whether it was placed in front or not? A. Yes, by the hazy appearance of the figure.
Q. Could you or any other person go through the whole process, from the cleaning of the plate until the picture is seen upon the plate, and not be detected by an expert? A. Mr. Gerry—That is assuming that the expert had done all he wanted to do.
Mr. Townsend—The case is one of assumption.
Mr. Gerry—Oh no, there is not so much assumption as you may imagine.
Mr. Townsend—Have you spoken of a single process not susceptible of detection? A. I think that by the substitution of a glass in any dark room not familiar to anyone but myself, I could humbug anybody unless he held my hands. (Laughter.) My dark room is somewhat darker than ordinary; unless the inspection was made of the room, and all the materials and furniture cleared out, I think that the way would not be found out; I have made such pictures; I have humbugged several while they watched me closely, as I told them I was going to do so; one was Mr. Brennan, the surgeon at Bellevue Hospital; he is not a photographer; another was Dr. Bronson; they took the plate shield and examined it thoroughly, and looked minutely into every thing; I humbugged them by the double-plate process; this was in the photographic gallery at the hospital; Mr. Mason was there; it was a blind, I suppose.
Mr. Gerry—He was the Mrs. Mumler of the establishment.
Mr. Mumler—Mrs. Mumler does not go into the dark room with me.
Mr. Townsend—Where did the humbug come in? A. By slipping the plate in; it was inserted just before the negative plate was put in; this room of Mr. Mason's is 7 feet by 12; it is brighter than ordinary photographic rooms; I did not attract their attention; one said that he saw something come down into the camera, and that was the way in which it was done he said.
Q. You think that it could not have been detected by an expert? A. Oh, yes; for he would have cleared out the room.
Q. You think, then, that you could have detected this? A. I do.
Q. Why did you not go to Mumler's? A. I did on Saturday.
Q. Yes, with a crowd of five or six persons, and wanted him to go out? A. No, sir; I wanted him to make a picture.
Q. There? A. No; out of his place.
Q. Were you put up to it? A. No, sir; it was for the purpose of catching him at the trick; Guary said he would go for \$500.
Q. Did you have \$500? A. Yes, sir, and offered it; I cannot produce the likeness of a deceased person whom I have not seen, nor can anybody else; I cannot produce the likeness of anything that I have not seen; my idea of impossibility is to produce something out of nothing, and a thing which does not exist cannot be photographed; my idea of created things stops with their existence; I believe in things I do not see, of course; I believe in the Divine Being, though I have not seen him; I believe in that from revealed religion and other things; I take a great many things on faith; a photograph can be taken from a picture in the room, if the party would not look around; you

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The hour of 1:30 having then arrived, his Honor said that they would now adjourn until Wednesday next (to-morrow) at 10 o'clock.



Conclusion of the Evidence in the Mumler Case.

He Makes Some Very Interesting Statements.

**The Case Closed on Both Sides, and to
be Summed Up on Monday,**

&c., &c., &c.

The same counsel, Elbridge T. Gerry and the Assistant District-Attorney Blunt, represented the people; and Messrs. Day, Baker, and Townsend were of counsel for the prisoner. Justice Dowling took his seat on the bench at 10 A. M.

Mr. Townsend said: Before any more witnesses are called by the prosecution for the purpose of showing that copies of pictures may be taken, for the purpose of saving time, we simply wish to show that in the book now in evidence, Mr. Mumler has set forth particular instances of where the same things have been made in 1862, so that there is nothing new.

Mr. Townsend—It is thoroughly to be understood that copies can be made.

Mr. Townsend—We come here to show that the pictures can be made other than by human means.

TESTIMONY OF ABRAHAM LOGARDUS.
Mr. Bogardus was then examined by Mr. Blunt, as follows: I am a photographer, and am connected with the National Photographic Association of the United States; it was formed for the purpose of protecting photographers from patents, so called, that annoyed us, and putting down humbugs: Mumler is not a member of that society; I have heard the testimony as regards the different ways in which these ghost-like pictures have been produced; the process of taking them can be changed to any extent, almost; I can take a man with an angel over his head or with a pair of hands on his head, without being detected by an ordinary man, though perhaps an expert could follow me through. He here produced a number of pictures that he himself had taken; he explained that he took a plate, coated it in the usual way, and then the picture is taken and the plate can be left for half a day in the battery; by and by the sitter comes in and an impression is taken; he is then requested to go into the dark room, and by a proper manipulation of the other plate, lo! the ghost is there. Exhibit No. 20, shown to me, is a lady standing behind the sitter, with her hand in his hair—it can be made just as well with her arm around him. The same kind of pictures can be taken from a live ghost, that is from a person dressed up to represent one, and I believe that many of Mumler's pictures are taken in that way. They can be preserved for a great length of time, and can be introduced into the picture of the sitter without any trouble. These are too good. I can take them less distinct, though I suppose I have not been a medium long enough to take them as poor as those others; the pictures can be made less distinct by taking them out of focus; that will produce an indistinct picture which will answer for your grandmother, or for mine, if you like: in such photographs as these I defy a man to tell whether the nose of that lady is a Roman, a Grecian, or a pug. (Laughter.)

Mr. Townsend—I object to that, unless he is an expert.

Mr. Gerry—State instances? A. I have seen persons come into my gallery and recognize Harry Clay's picture as that of General Jackson (daughter), and think that they were right; they were just as honest in their convictions as anybody could be; and then again I have seen perfect pictures of friends

taken whom persons would not recognize; I have also known a woman who came in and wanted a picture, saying that it resembled her child, though it was another's; this exhibit, No. 24, was taken yesterday; the photograph is of P. T. Barnum.

Q. Look at Nos. 21 and 18 for the defence: were the ghosts in front of the camera at the time the impression was made upon the sensitive plate? A. No, sir; No. 18 was evidently copied from some old picture, and is, I believe, made by the process I have described; No. 21 is to make my own language a transparent lie, because the shadow upon Mr. Livermore's face is on one side, and the shadow of the ghost on the other; if the two objects had been in front of the camera, these two shadows must have been the same; it shows that the sittings have been taken at different times.

To Mr. Townsend—I think it was a lady who recognized Henry Clay.

Q. By any conceivable process known to you can you produce a picture of a deceased person who had not a picture taken during life? A. No, sir, nor no other mortal.

Q. Are you a believer in the Bible? A. Yes, I am thoroughly.

Q. Allow me to read from 1 Samuel, xxviii., 3 v. to the 17 v. (Counsel read all this referring to the interview of Saul with the spirit of Samuel brought up by the witch of Endor.) Now, sir, said he to witness, that spirit or whatever it was, if it was true, had language and appearance, had it not?

Mr. Gerry—I object to the question. I do not oppose my learned friend reading the Bible in court, because there is good to be learned from it by a lawyer conducting a case or in the privacy of one's closet, but when it goes to the purpose of confounding a witness, and for the purpose of putting theological questions, a witness not skilled might render an answer which would not be proper. I defy him to produce a precedent for such a course.

Judge Dowling—The Bible has been read as an authority before the jury, but I have never known it to be brought up before a witness on the stand, and I do not intend to permit it.

Mr. Townsend—I have not asked a question yet.

Judge Dowling—You asked him his belief.

Mr. Townsend—I have not asked any question touching his theological knowledge; I ask him only as a photographer.

Judge Dowling—He need not answer.

Mr. Townsend—I put the question, and take the exception.

Judge Dowling—You can have the benefit of the exception; the question is overruled.

Mr. Townsend—I have not asked a question yet.

Mr. Gerry—Then there is no exception.

Judge Dowling—What is the question?

Mr. Townsend—The question is, if from the reading of that, if the spirit appeared with form and language, would there be anything remarkable if photography had been introduced and had taken the image?

Mr. Gerry—What an absurd theory—every well read man—

Judge Dowling—I have overruled it.

Mr. Townsend—Now, I propose to offer particular texts at once to save time, so that it may appear upon the record so that—

Judge Dowling—You can offer the whole Bible and I will accept it.

Mr. Townsend—I offer these: The xvi. chapter of Genesis, 6-9, as showing appearances in the form of spirits; also, xli. Genesis, 1st verse; xxi. Genesis, 17-19; xxii. Genesis, 10-19; xxii. Numbers 21-35; v. Joshua, 18-15; vi. Judges, 11-23; xiii. Judges, 2-22; xxviii. 1st Samuel, 8-17; xix. 1st Kings, 5-8; i. Ezekiel, 4-6; xvii. St. Matthew, 1-4; xxvii. St. Matthew, 52-54; xxviii. St. Matthew, 1-8; 1st Acts Apostles, 9-11; v. Acts, 18-21; x. Acts, 1-8, and 15; 1st Corinthians, 44th verse. That is all I desire to ask.

Mr. Gerry—We have no questions.

Oscar G. Mason recalled—Examined by Mr. Blunt: Is shown exhibit 20 for the defence; says that the spirit form could not have been in front of the camera at the same time as the sitter; exhibit 24 might have been in the camera, but could not have been in front.

To Mr. Townsend—I cannot take pictures of deceased persons who never had a picture taken before death. (The counsel then read from the yellow book spoken of as coming from Mumler's, to show that one Mr. Childs, of Pennsylvania, had known that there had been several processes by which shadowy pictures might be taken, as by the method of Sir David Brewster.) Witness said that that one of Brewster was commonly used, and also another method, by placing a negative plate near a small lamp.

TESTIMONY OF P. T. BARNUM.

Examined by Mr. Gerry—Q. Where do you now reside? A. No. 438 Fifth avenue.

Q. Have you, at any period during your life, devoted yourself to the detection of humbugs, so called? A. Yes sir. (Great laughter.)

Q. In connection with that, did you ever have anything to do with Mr. Mumler? A. Not personally.

Q. How long have you known him?

Mr. Townsend—I object, on the start.

Mr. Gerry—Q. How long have you been acquainted with him in reputation, in connection with these photographs?

Mr. Townsend—I object, because it cannot be material.

Mr. Gerry—It is introductory.

The Court—The witness has said he had no personal acquaintance.

Mr. Townsend—I object to have the question put, because it is intended for the public. It is the commonest thing in the world for counsel, when they know a question is immaterial, to offer to show matters, for the purpose of circulating them through the papers.

The Court—It makes no difference how irrelevant a question may be, the counsel has a right to put it, and have the opinion of the court upon its admissibility.

Mr. Townsend—The question has been put to the witness if he knew Mumler, and he said not personally; he answers that he has no acquaintance, except by reputation; there is no conceivable question that can be connected with the subject.

The Court—The question can be asked.

Mr. Gerry—State, if you please, when you first became acquainted with Mumler by reputation as a photographer?

Mr. Townsend—That is objected to.

The Court—I cannot see what injury the question can do, the next question perhaps will follow; what he knows; I cannot see what injury that will do.

Mr. Townsend—It is an improper question; are we bound to run the risk of whether it is material or immaterial?

The Court—I do not know where the risk is, he may answer the question.

Witness—I think it is seven years since I have known Mumler as the original taker, so far as I know, of spiritual photographs; I published a book upon the subject seven years ago; I—

The Court—Stop! You must not volunteer anything; wait till the question is asked.

Q. (By Mr. Gerry.) Did you have correspondence with Mumler on the subject?

Mr. Townsend—I object.

The Court—If the correspondence can be produced, and if they can prove it to be in his handwriting, it may be shown in evidence.

Mr. Townsend—Your Honor has been so close as to producing pictures only in Mumler's gallery, I cannot see how you can allow them to bring in letters seven years old.

The Court—If the correspondence is in Mumler's handwriting, it can be produced.

Mr. Gerry—My first question was for the purpose of ascertaining whether such correspondence took place. (To the witness.) Q. Have you any of Mumler's letters now in your possession? A. I think they were burned with the Museum; perhaps I may have them in my possession still; I have searched for them, but cannot find them, and I think they were burned in the Museum.

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Q. State, if you please, the subject matter of those letters, as far as you are able to remember their contents?
Mr. Townsend—I object; this is going a little too far.
Mr. Gerry—It is proving the contents of the lost documents.
Mr. Townsend—He does not know that they are lost.
The Court—He thinks they were burned in the Museum; he has looked for them and cannot find them; that is evidence of the loss.
Mr. Gerry (to the witness)—Q. Have you searched for them? A. I have, and have not been able to find them; my own opinion is that they were burned, as they were in connection with museum business.
Q. You wrote in connection with museum business? A. I wrote to Mumler.
The Court—Did this correspondence relate to the subject matter of this investigation?
Mr. Townsend—My objection goes further. There is no evidence that this gentleman ever saw this Mr. Mumler; if he had a communication with a Mr. Mumler, there is no evidence that this was the Mumler. If the purpose—
The Court—If the counsel will locate him—
Mr. Gerry—I can do so at the outset.
Mr. Townsend—I object to the introduction of any answer given to any questions to this witness; the objection is a general, besides the specific one.
The Court—I have suggested the mode to pursue.
Mr. Gerry to witness—Do you remember where these letters were dated from, and where at the time the person with whom you corresponded resided?
Mr. Townsend—I object.
Witness—They were dated in Boston, and the Mumler to whom I wrote was then in the employ of Bigelow Brothers & Rimaud, as an engraver.
Mr. Townsend—I object, because the communication was sent to another person, and then to Mumler.
Mr. Gerry—I can connect it.
Q. Do you remember the firm name of the gentlemen? A. I do not remember it.
Q. Did you ever see him subsequently in this city?
A. Never, until to-day, to my knowledge.
Q. Did you correspond subsequently? A. Yes, sir.
Mr. Townsend—All these questions are objected to.
Mr. Gerry—Q. Were those letters dated from a place other than Boston? A. No, sir.
Mr. Gerry—Now, I propose, for the purpose of saving time, to take, subject to objection, the testimony of Mr. Barnum in regard to his connection with Mr. Mumler, if the prosecution can establish that the two are identical, that is all that is necessary.
The Court—I do not see that you have connected it.
Mr. Gerry—Then I shall connect it by exhibit number ten.
The Court—Who put in the exhibit?
Mr. Gerry—By the people, and admitted; it reads investigation by William H. Mumler, of Boston, Massachusetts.
Mr. Townsend—I object, Mr. Daniel Webster came from Massachusetts, but he did not always reside there.
Mr. Gerry—He has impressed upon his advertisement that he is a Boston man.
Mr. Townsend—Where they are going upon their own evidence—
The Court—The court admitted it as evidence.
Mr. Townsend—How can you prove it, by their own evidence?
The Court—They prove that they were given to persons who went there. I have admitted it.
Mr. Townsend—I object.
Mr. Gerry—Q. Now state, if you please, the substance of the correspondence. A. I wrote to Mumler that I was publishing a book exposing humbugs of the world (great laughter), and that I wished to expose the humbugs of the spiritual photographs; that he had originated the thing, and I wished to purchase from him anything he had got left, inasmuch as he had left that part of the business, and I wished to purchase some of the pictures to exhibit them, and also to give a description of them in my book upon humbugs (laughter); he sent them to me, and I paid \$2 or \$3 a piece for them; one represented "Colorado Jewett" and "Napoleon Bonaparte"; they were burned; they were exposed for a long time upon the museum walls, and they were labelled to express the pretended appearance of Napoleon Bonaparte and the real Colorado Jewett; also of "Henry Clay" and "Colorado Jewett"; the photographs were taken from pictures of Napoleon and Clay; they present precisely the appearance and positions which these photographs showed.
Q. What was the title of the book? A. "The Humbugs of the World."
Q. Were the matters contained in the chapters on "Spiritual Photography" accurately stated. A. They were, so far as my knowledge was concerned and relating to this same Mumler.
Q. Did you call at Bogardus' gallery yesterday?
A. Yes.
Q. Do you believe in "spooks"? (Great laughter.) A. Yes, I do. (Renewed laughter.) I saw many when I was a boy. (Continued laughter.) It is only necessary to believe in them to see them. (Laughter.)
Q. Will you be kind enough to state what took place at the gallery? A. I went in to ask him if he could take a spirit photograph, as I would like to have my likeness taken with the spirit in the background, but I told him that I did not want to have any humbugging in the matter. (Great laughter.) He said he could do it. I told him that I wished to examine the things. He gave me liberty to do so, and so I investigated about the plate glass, went into the dark-rooms and saw the process of pouring over the first liquid; after it was placed in the nitrate of silver bath, then it was put in the camera; there was a little break upon the glass, so that I could distinguish it all the time; went through the operation; had my shadow taken, and that of the departed Abraham Lincoln came also upon the glass. (Great laughter.)
Q. Is that it (showing the picture)? A. Yes, that's the critter. (Renewed merriment.)
Q. Now, when did you see the ghost-like photograph? A. As soon as I came into the dark-room.
Q. Did you detect the mode in which it had been done? A. No.
Q. Were you conscious of a spiritual presence? A. I did not feel anything of that sort. (Great laughter.)
Cross-examined by Mr. Townsend—How long have you been in the humbug business? A. I was never in it; I never took money from a man without giving him the worth of it four times over. (Laughter.) These pictures that I exhibited I did so as a humbug, and not as a reality, not like this man who takes \$10 from people.
Q. Did you state it to be a humbug? A. It was so labelled.
Q. All these humbugs that you have taken money for, did you tell the people at the time that they were humbugs? A. I never showed anything that did not give the people their money's worth four times over.
Q. Take the woolly horse? (Great laughter.) A. That was a remarkable curiosity and a reality, without the slightest preparation or disguise or humbug or deception about it in the world; it was exhibited as a curiosity at fifty cents a head in Pittsburg and Cincinnati, and there I bought it.
Q. Was it what you represented it to be? A. It was a peculiar kind of creature (laughter), but I say that it was what I represented it to be.
Q. Was it actually a woolly horse? A. It was actually a woolly horse. (Bursts of laughter, which were at once checked by the court.)
Q. Was it not a horse woolled over? A. Not the slightest, and I am very happy to enlighten the public upon that point. (Merriment.) The horse was born just as he was, and there was no deception about him in the world; there was nothing artificial about it, and I was happy to get it to draw the people, but there was no deception about it, I take my oath. (Loud laughter.)

something which made me doubt it, but at the time—

Q. Do you wish to state that the mermaid was precisely the same as you intended the public to believe it?

Mr. Gerry—I submit that that question—
Judge Dowling—You can ask him what he pre-
sented it for.

Mr. Townsend.—I will ask you generally one question. Have you as a public entertainer presented to the mass anything which you knew to be untrue, and took money for it; have you falsified the facts and taken money for it? A. Well, I think I have given it a little drapery sometimes founded on fact. (Great laughter)—which was not checked for some moments.

Q. Now this question of Mumler—oh! the nurse of George Washington. (Peals of laughter). A. I shall be delighted. (Renewed laughter.)

Q. Was that the nurse of George Washington? (Great laughter.) A. I have seen no reason to doubt it; I bought it as such. (Renewed merriment.) I never investigated it very closely. (Shouts of laughter, which the court for some minutes vainly endeavored to check.) As far as I know she was so.

Q. Do you believe that she was? A. It is a matter of belief. (Great laughter.)

Q. Do you believe that she was? A. I bought it upon a bill of sale which represented her as belonging to George Washington's father. The bill of sale never has been disputed, and I never knew who wrote the bill of sale.

Q. Did you believe that the person was Washington's nurse? A. I never had a profound belief in regard to things. (Laughter.)

Counsel (appealing to his Honor)—Now, I ask the Court—
Judge Dowling—He has given the reasons.

Q. Did you believe all the time? A. I did; my teeth were not cut then as they are now, but I paid a thousand dollars. It is likely before I got through that I might have had some doubts upon the subject. (Great laughter.)

Q. When the doubt came into your mind, did you suggest it to the public? A. I did not think that I should put myself out of the way.

Q. Let me ask you with regard to the case. You state that you never saw Mumler? A. I am not aware that I did.

Q. To whom did you write? A. I wrote to the man in whose employ he was.

Q. Did the man answer the note? A. He gave me his address, and I wrote to Mumler.

Q. Did you know that he worked for Kennard?
A. I wrote to the address given by his employers. I did not know as an absolute fact that he was in his employ. I have seen the signature of Mumler, and if the gentleman will sign his name—

Q. You wrote to the person in Boston in regard to a man by the name of Mumler, and you received an answer from a man giving you the directions of a man in Boston, and he said he was in his employ? A. He said that this was the man who told him about it, and that he did it.

Q. After you received the note from him then, you wrote to a man by the name of Mumler? A. I wrote to *the man* by the name of Mumler; the man told me that Mumler was played out, and had a great many things on hand; then I wrote to Mumler, and he sold them to me.

Mr. Townsend—This is perfectly outrageous.
Mr. Gerry—My learned friend cuts him short; let him put the question slower.

Mr. Townsend (to witness)—You never saw Mum-
ler write? A. I have told you a dozen times that I
have not even seen the man.

Judge Dowling—He said that if Mumler would write his name he could identify it.

Mr. Townsend.—How many letters have you had pass between him and you? A. Just sufficient to negotiate the transaction—perhaps two or three.

Q. How long ago were they written? A. About seven years ago; it might be five or eight.

Q. Your correspondence during that time, I suppose, was rather voluminous? A. Yes, I suppose so.

Q. Do you keep your letters? A. For some years.

Q. When did you first hear that you would be called upon in this case? A. Yesterday.

Q. What did you do in looking for them? A. I looked over my papers left after the conflagration; I have a good many left—seven or eight hundred

Q. Do these letters represent all the letters not burnt up? A. Yes: all that I am aware of.

Q. Did you look at each particular paper? A. As they were labelled.

Q. In your mind you feel that Mumler wrote those letters? A. I have no doubt of it; I have corresponded with many whom I never saw, but I have no doubt that they were alive when I wrote them. (Laughter.)

Q. What you have given here as being contained in the letters is simply from a remembrance of seven years? A. Five, six, or seven; they were dated the same year that the exposure was published.

Q. Does your book speak of Mumler? A. I think it was at his request, or at the request of his employers, that I did not do it.

Q. Would it have any effect upon your mind to state by a positive assertion that he never wrote to you in his life? A. I should know that his assertion was not true, when I wrote to the establishment, and got the answer back, signed Mumler.

Mr. Gerry—When you were with Bogardus, did you want George Washington's nurse to appear? A. He said that she had no vitality left. (Great laughter, during which Mr. Barum left the stand and left the court-room, his examination having been concluded.)

TESTIMONY OF CHARLES B. BOYLE.
Examined by Assistant District-Attorney Blunt—Resides at 111 Third avenue; is a photographer; has been one over twenty years; is connected with the American Institute; is familiar with spirit photographs; has been a familiar with them since they were first taken by M. A. Mumler; his attention was first attracted to the subject about seven years ago; he has made such pictures; first saw Mumler at the gallery known as Mrs. Stewart's, in Boston; saw him previous to hearing of the spirit photographs; thinks he looks older now, but in his judgment the Mumler is the same that he saw in Boston; he (Mumler) was attending to the business in that gallery. (The witness exhibits pictures which he made in Rockwood's gallery, and also some which he made in a gallery in the Bowery within the last few days.) He explained the process, which is the same as that described by previous witnesses, of making the negative of the ghost first, and obtaining the impression upon the real plate with the sitter on it, by holding it up to the light; he also explained how pictures may be made by what is called the Sir David Brewster's ghost process; he was also familiar with what is called the screen process, which he described; exhibited twenty, twenty-four, thirteen, and fourteen being shown him, he says that he is positive that the

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ghost form in those pictures could not have been made by anything in front of the camera at the same time as the sitter of the picture was taken, for the same reason that has been given by previous witnesses.

Cross-examined by Mr. Townsend—Is not a spiritualist; has looked into the subject; has never heard that spirit forms were acted upon and governed by their own light; he believes there are some things true in the Bible, and, with regard to other things, his opinion is suspended; he can only believe those things that are apparent to his conception. The counsel then read the transfiguration scene on the mount, and asked the witness if he believed that; he answered that that was one of the parts on which his opinion was suspended; says he will only believe that which he can comprehend, and for that reason did not believe in spiritualism; it is apparent to his reason that Mumler's process is a humbug, for the same reason that he knows that two and two are four; with four nuts he can demonstrate it to his senses. He was asked whether if this account of the transfiguration were true, did he believe that they, the spirits shone by their own light? He said he did not; has never known of a picture being taken of a person deceased.

To Mr. Gerry—Has never known from anything that he has read that these spirits, if they did so appear, appeared by their own light.

In the course of the examination of this witness, Mr. Townsend stated that the Spiritualists believed in the Bible, and that their spiritualism was in fact the peculiar form of their religion.

TESTIMONY OF D. C. CHAPLIN.

Has been a photographer five or six years; was in Mumler's gallery three weeks ago, on the Thursday previous to the arrest of Mumler. (It appearing that this witness did not see Mumler at the time he visited the gallery, his testimony as to what took place there was excluded.) Has known of instances where persons have mistaken likenesses for others for whom they were not taken.

Cross-examined by Mr. Townsend—Has never known of a picture of a deceased person being taken.

TESTIMONY OF CHARLES D. FREDERICKS.

Examined by Mr. Blunt—Has been a photographer for twenty-seven years; has seen spirit photographs; has made a few specimens (shows the pictures); all these shown are taken by the same process, viz., by taking the ghost first on one plate, and then transferring this to the plate of the sitter; has heard and agrees with the testimony for the People; he is shown exhibits 20, 21, 24, and 13, and says none of the spirit forms on those pictures can have been in front of the camera at the same time as the sitter, and that they must have been made by mechanical process.

Cross examined by Mr. Townsend—Mr. Bain is a positioner in his gallery; that branch of the profession requires taste and a knowledge of the light and shade more than any other portion of his business; Mr. Bain has not told him within forty-eight hours that he could produce the opposite shadow which he (witness) says cannot be produced by an object in front of the camera at the same time as the sitter; he means that no form visible to the eye could have been in front of the camera; has never photographed anything that he could not see; does not know Professor Reichenbach; has never heard of his having photographed the odd light; he does not understand what the odd light is; shades could not be thrown upon two objects by reflection; has never been able to produce a picture of a person that was dead, nor does he believe it can be done by anybody; he does not work practically; in making photographs he employs others to do the dirty work; a picture cannot be made by yellow light; reflected light cannot be thrown on different objects.

TESTIMONY OF JOHN JONES.

Examined by Mr. Blunt: Is a philosophical and mathematical instrument maker; has been both in the daguerrean and photograph business; in each for about two and a half years; is a member of the Maryland Institute; has been on committees for inventions and discoveries, and is one of the committee of the school of design; he can make a camera that would deceive any practical photographer, unless he took his camera to pieces.

Mr. Gerry now said: If it please the Court, we have one witness here whom we should like to examine at the next session.

Mr. Townsend—What is the position in which the prosecution have closed the case? If they propose to take any particular ground, it may be as well to know now, otherwise we will have to ask for an adjournment.

Judge Dowling—I cannot see that the defence can come in again.

Mr. Gerry—I do not propose to open the case again; the witness is an expert in insanity from practical observation.

Judge Dowling—What will constitute an opening of the case.

Mr. Gerry—It is in rebuttal of what two of their witnesses said they saw and heard.

Mr. Townsend—We can prove that the gentlemen are insane.

Mr. Gerry—I can prove that they were laboring under an hallucination. I propose to produce Dr. Parsons, who is one of the physicians of the Lunatic Asylum on Blackwell's Island, to show that he has had for many years persons who are afflicted with spiritual delusions, who hear voices and sounds, and see visions; that he has treated them, but that they generally fall into melancholia, which is a form of insanity and is almost incurable; and further, I want to show that these sounds and noises are the results of imagination.

Judge Dowling—Whose testimony do you desire to affect.

Mr. Gerry—I propose to account for the remarkable statements of Judge Edmonds and Mr. Bremond. It is strictly in rebuttal. They are mere questions of practical facts.

Mr. Townsend—It strikes us as the most outrageous thing that I have ever heard of an officer undertaking to do. Gentlemen who stand as high as Judge Edmonds and Mr. Bremond, because they come forward, it is proposed to show that insanity is some times produced through a person having that kind of religion.

Judge Dowling—I would suggest not to do it.

Mr. Gerry—I propose to show that the disorders will result in insanity.

Judge Dowling—Well, I would not like to hear such a witness upon the stand.

Mr. Gerry—Of course, I bow to your decision, and rest the case of the People there.

Judge Dowling (to Mr. Townsend)—Do you wish to sum up?

Mr. Townsend—If your Honor concurs.

Judge Dowling—I do not concur in anything about it; how long do you want?

Mr. Townsend—Well, about two hours.

Judge Dowling—And you, Mr. Gerry?

Mr. Gerry—Well, about the same time.

Judge Dowling—I should like it to be an hour, but I suppose you like to hear yourselves talk, and I will hear you, and adjourn the case till Monday next at 10 o'clock.

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own, backed out as soon as his offer was accepted.

5. Mr. GUY also refused to permit an investigation of MUMMER's pretensions to be made by a committee of Spiritualists, except upon pecuniary conditions with which the committee were unable to comply.

These five points seem to us quite irreconcilable with the theory that spirits actually show themselves by the side of the sitters, as Mr. MUMMER's photographs make them appear to do. There only remains the circumstance of his likenesses of his ghosts, persons actually deceased; but when it is considered that he has been at work several months, receiving at least a dozen sitters a day, it is not remarkable that, out of the whole number, he should make three or four hits. Especially is it so when the dimness and indistinctness of his ghost portraits are taken into account.

On the whole it must be conceded that the existence of the art of photographing spirits is far from having been established by anything which has appeared in the course of these proceedings.

ARE THEY PICTURES OF SPIRITS?

To the Editor of The Tribune.

Sir: Suppose it true that Mummer's so-called "Spirit Pictures" are a humbug or trick, through the transferring of objects which may be mysteriously placed in the camera or its lenses, or, if you please, in any other deceptible manner—such as a correspondent, signing himself "Interrogation," at the conclusion of an article which appeared in The Daily Tribune of Saturday, April 24, and therein suggests that those pictures might be produced by the use of other pictures or objects on plates which had previously been used and redeveloped. If, by any of the above methods, or any description whatever which would account for the mystery, then, I ask, in all candor, does it not become imperatively necessary for Mr. Mummer to be in possession of all or nearly all plates that have ever been used since the photography has been practiced? Besides, must he not have a perfect knowledge of how everybody looked who have departed this life, and even those who failed to ever have a picture of themselves while living on this earth, and deceased for many years? And does it not necessitate Mr. Mummer to have an almost, if not quite, infinite mind and memory, in order to so systematically arrange the proper pictures or likenesses of the deceased persons respectively on the plates with their living friends who chance to go into Mr. Mummer's gallery unbidden, and of their own accord, and sit for a picture? Also, according to the testimony before the court in Mummer's case, the same necessarily manifestations have been obtained in other galleries beside Mummer's with Mummer only present, even when Mr. Mummer was not the operator in any part. Neither was there any part of Mummer's materials or instruments used at other operators' galleries, and the operators' receipts too. Without this infinite power between this man Mummer, or himself, so produce and arrange so accurately everybody's granddaddy, grandmother, mother, brother, sister, son, daughter, husband, wife, aunt, cousin, uncle, or some near and dear relation as lovingly embracing or reclining upon those who attend the same had sat for the picture, as is shown in those pictures, which were exhibited in Court. Some say it is the result of the mind or desire of the persons sitting for a picture; if this be so, how is it that, as shown in Court, parties not thought of, and not even having been known by the applicant for the picture, appear on the plate, in a proper place and position, always right end up, as on all other occasions, and under all other theories or explanations, and the same pictures are immediately recognized by the persons who sit for a picture or by some of their near neighbors or friends? According to the evidence given on the trial, ninety-five out of a hundred of these so-called "Spirit pictures" have been at once recognized as being a correct likeness of deceased friends or relatives of those who brought pictures, and often proved to correct pictures of deceased persons who had never left a picture of themselves in this world; and the other five in the hundred, or nearly so, are sooner or later recognized by some acquaintance of the sitter? And as given in Court, I have tried to discover any evidence, which should convict Mr. Mummer. If this "Mummer process," as the aliases, is true and devoid of fraud or trick, then I see no good reason why we should be afraid of its influence; to the contrary, I think it is the duty of the scientific world to investigate it, and if they should find it a truth and really that it becomes us as reasonable beings to embrace it, as we would any other known science, and not make a religion out of it. We should not be uncharitable, if, for two women never according to history and our own experience, that the greater the new truth in importance the more stubbornly it is opposed by mankind, and in each case we forget the trials and tribulations of Jesus Christ, Copernicus, Galileo, Columbus, Dr. Harvey, Robert Fulton, Benjamin Franklin, and Morse, who taught the world what the generation have realized to be immensely valuable, which factor or its benefits in future, for aught we know, may sink into insignificance compared with this "Mummerism," or even "Modern Spiritualism." I trust, Mr. Editor, that you and the balance of mankind will have no fears of everything, for if it is a fallacy it will sink and die, and if it is true, my word for it, it must eventually keep all these facts before us if we fail to arrive at the truth or falsity of the question at issue. "Fear not, Truth is the motto of Honesty."

WALTER B. CHAPLEY, No. 178 Broadway, New-York, April 29, 1869.

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WALTER B. CHAPMAN, No. 178 Broadway, New-York, April 29, 1869.

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THURSDAY, APRIL 24, 1869.

THE CASE OF MUMMER.

The well-known impossibility of proving a negative has never been more strikingly illustrated than in the attempt, which is still going on, to disprove the "negatives" of MUMMER. Most people will merely turn up the nose of incredulity at MUMMER and his pretensions; and those who have taken the trouble to investigate him, although in most cases they seem to be satisfied that his operations are a juggle, are profoundly dissatisfied with their own efforts to frame a plausible explanation of them.

Of course, when Judge EDMONDS asserts that he has been in the habit of taking ghostly counsel with the shades of his departed judicial brothers—who appear to him, not upon the bench, but upon adjacent window-sills, and give token of having im-proved the lapse of time since their dissolution in different perusal of the volumes of BARBOUR and of ARBOTT which have subse-quently appeared and of which spiritual editions have concurrently been issued—we can have no ground for contradicting him. We can only use towards him the gen-eros candor of JONATHAN OLIVER, and certify our conviction that Judge EDMONDS, like Sir ARTHUR WARWICK, would not say he saw what he did not think he saw. "The less favored of mankind can only insist that they have never seen similar signs and wonders. And it is an ancient and wholesome maxim of the law that the testimony of one man who swears that he did see a thing is to be taken against the testimony of a million who did not see it. And, similarly, when a venerable lady identi-fies the spiritual presentment of her long-lost son by a "curvature of his spine," the in-credulous can only take refuge in the number of invertibles to whom the Congressional debates and the columns of the New York Times bear daily witness.

Let us watch and wait the development of the mysteries of MUMMER. We are quite at liberty to disbelieve that a form too incor-poreal to point itself into the human retina is suddenly substantial to project its shadow upon a plate so that it shall be palpable to the same organ. But we are also bound to believe in the honesty of some, at least, of the cloud of witnesses to whom MUMMER has brought conviction and consolation, and to admit that, if this photographic PROSEPO is no more, he is a very clever performer in his specialty.

THE DAILY STAR.

Published Every Day in the Year.

SATURDAY MORNING, APRIL 24, 1869.

In Justice DOWNING'S Court yesterday was gathered an extraordinary audience for an ex-traordinary end. Long-bearded men, heavy-jowled women, iron-eyed spectators, and sleepy-eyed victims, sat with ears intent upon the bigoted evidence of silly dupes, and the gibbering of oily-tongued law-yers, eager to know what, if anything, there is in spiritual photography.

It don't do to say, pooh-pooh. Pooh-pooh! is a very proper answer, but hardly one which bears frequent repetition in polite society, or the Courts of Justice; and so, day after day, the people's money is haunted in the fruitless endeavor to make something out of nothing. The defense has closed, having proven beyond dispute that these pictures are satisfactory to the parties who paid for them. Mr. LIVERMORE, a bank-er, who actually lives on Fifth Avenue, says that he has obtained pictures in which his own figure and that of his deceased wife are reproduced to his entire satisfaction. Now what can be done with such a fact as that? It makes no difference to him that his wife appears, though dead, clad in the garments of earth; none that, though in a spiritual world, she holds in her hand a bouquet of earthly flowers—he is satisfied and of course MUMMER is. Just so long as LIVERMORE will

The New York Times.

NEW-YORK, SUNDAY, APRIL 25, 1869.

The photographic case of MUMMER, which has been exciting such interest during the past week, is likely to bother every one who attempts to settle it off-hand upon precon-ceived notions of what is, and what is not possible. The "things in Heaven and Earth" that are yet beyond our philosophy are many—and from the constant advances in knowledge, and the scientific classifica-tion of them, (which, it must be remem-bered, proceeds very much more slowly than the mere accumulation of facts,) we may well believe that the unknown and knowable are vastly more than the known.

The mere fact that a skillful photographer can produce the so-called "spiritual photo-graphs" by regular scientific methods, as was lately done by ROCKWOOD, proves no more than do the spectral illusions of plate-glass recently so popular in our theatres. Scientific ghosts are a fact undoubtedly; but that does not disprove the alleged ap-pearance of disembodied spirits. If Judge EDMONDS should say I saw John Doe strike Richard Roe, we should all believe him. When he says, "I saw the apparition of a

Spiritual Photographs.

late associate," are we to disbelieve? Not power to distinguish; but, perhaps, his internal impression upon his sight may be doubted.

But the testimony is not solitary. It is multitudinous and concurrent. Skeptical strangers recognize the counterfeit present-ment of deceased friends upon the plate be-fore which only a living body visibly sat. What is to be thought about it: what be-lieved?

Our impression is, that the result of this trial will be practically nil. It is held next to impossible to prove a negative: it will be unusually difficult when many persons swear to a positive assertion. If MUMMER be con-victed of fraud, his co-believers will lose no whit of faith. If he be acquitted, it will be in many minds a simple case of "not proven." Certainly, in view of the world's past history and its present progress, it is not the part of wisdom to believe in appearances, or to dis-believe in what we cannot yet understand. Those are both the resources of thoughtless-ness and folly.

If "these things are so," Time will prove them and—*Non solum veritas.*

NEW YORK HERALD

New York, Sunday, April 25, 1869.

The Spiritualists.

Our columns, day after day, for some time past, have been filled with the report of a trial which perhaps has had no parallel in the history of religious curiosities. Photographers MUMMER has certainly given the Spiritualists notoriety. The Fox sisters, and later Judge EDMONDS, did much to make Andrew Jackson Davis a modern Moses or Mohammed. MUMMER, however, is the hero of the hour; all other previous Spiritualists sink into insignifi-cance in comparison with this man. It was something to be a medium, to connect the world that is seen with the world that is un-seen. If the stupid world could not see or hear spirits, it was some consolation to know that communication from the seen to the unseen, through the intervention of mediums, was a possibility and a fact. The Fox sisters did wonders, but MUMMER leaves them all behind. It is conceivable that one might have a fancy to talk to one's great-grandmother's father or uncle or aunt. Spiritualism has al-ready accomplished all this. To take a photo-graph of one's grandmother's cousin implied a deeper and more thorough knowledge of the spirit world. It is good to hear; it is better to see. This is Mr. MUMMER's in-ump. He calls up departed spirits and photographs them to the life. If MUMMER is what he pretends to be, he is certainly the greatest man since Moses or the cre-ation. Until this investigation is ended we do not wish to be dogmatic. It is an interesting case, and we hope to arrive at some final con-clusion regarding Spiritualism before the in-vestigation is brought to a close. Marshal Joseph H. Towner is entitled to the thanks of the community for what he has already done.

